

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Qwest Communications)	
International Inc.)	
)	WC Docket No. 02-314
Consolidated Application for Authority)	
to Provide In-Region, InterLATA Services)	
in Colorado, Idaho, Iowa, Montana,)	
Nebraska, North Dakota, Utah, Washington)	
and Wyoming)	

**REPLY DECLARATION OF LYNN M V NOTARIANNI
& CHRISTIE L. DOHERTY**

**Checklist Item 2 of Section 271(c)(2)(B)
Operations Support Systems**

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LIST OF EXHIBITS

EXHIBIT NO.	SECTION	DESCRIPTION
LN-1	I	Change Request SCR043002-01 (submitted April 30, 2002)
LN-2	I	Minnesota Transcript of Proceeding, October 8, 2002, at pp. 78-133
LN-3	I	Minnesota Transcript of Proceeding, October 9, 2002, at pp. 44-52
LN-4	I	DSL-Type Loops Ordered by AT&T (Redacted – For Public Inspection)
CLD-5	II	CLEC-Specific LSR Reject Rates (Redacted – For Public Inspection)
CLD-6	II	Minutes of September 11, 2002 Meeting with WorldCom
CLD-7	III	Change Request CR PC120301-5 (submitted December 3, 2001)
LN-8	IV	Qwest Research Regarding No Trouble Found Coding for Eschelon Design Trouble Tickets – Week of September 9, 2002
LN-9	IV	Qwest Research Regarding No Trouble Found Coding for Eschelon Design Trouble Tickets – Week of September 23, 2002
LN-10	IV	Percent of Disputes Eligible for Refund, April and May 2002
LN-11	VI	WorldCom Question Log (Redacted – For Public Inspection)
LN-12	VI	Responses to WorldCom Arguments Regarding EDI Documentation Inconsistencies (Redacted – For Public Inspection)
LN-13	VI	Change Request SCR 093002-05 (submitted September 30, 2002)
LN-14	VI	Qwest SATE Impasse Comments, ACC Docket No. T-00000A-97-0238 (filed September 16, 2002)
LN-15	VI	September 30 E-mail from John Finnegan, AT&T, re: SATE Impasse Issues
LN-16	VI	Minutes of SATE Users' Group Meeting (December 4, 2001)

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**Checklist Item 2 of Section 271(c)(2)(B)
Operations Support Systems**

1. Pursuant to 47 C.F.R. § 1.16, Lynn M V Notarianni and Christie L. Doherty declare as follows:

2. My name is Lynn M V Notarianni. I am a Senior Director in the Qwest Information Technologies unit of Qwest. My business address is 930 15th Street, Denver, Colorado, 80202. I am the Declarant in connection with Sections I, II(B, F(1) and F(2)), IV and VI of this Reply Declaration.

3. My name is Christie L. Doherty. I am Vice President – Wholesale Service Delivery at Qwest Services Corporation, a unit of Qwest. My business address is 1005 17th Street, Room 1750, Denver, Colorado, 80202. I am the Declarant in connection with Sections II(A, C-E, F(3)-F(8)), III and V of this Reply Declaration.

4. If a consistent theme has emerged in the OSS-related comments filed in this proceeding, it is that, for the most part, the CLECs have failed to raise issues that were not already brought to the FCC's attention – and successfully rebutted by Qwest – in the Qwest I and II proceedings. To the extent the CLECs have raised new issues or alleged new facts in this proceeding, Qwest responds to them here. Where the CLEC comments merely repeat what was said in the Qwest I and II proceedings, Qwest nevertheless responds here to ensure a complete and accurate record in this proceeding. Qwest also responds here to questions raised by Commission staff in recent weeks. Where appropriate, Qwest's responses incorporate information already provided to the FCC, either directly or by reference, as appropriate.

I. PRE-ORDERING

A. Mandatory Performance of Pre-Order Queries

5. WorldCom contends that Qwest will reject CLEC LSRs if the CLEC did not perform address validation and CSR pre-ordering queries to obtain information to populate the LSR and that this unnecessarily extends the pre-ordering stage.¹ WorldCom's claim is overbroad and inaccurate. While Qwest strongly recommends that CLECs perform appropriate pre-order transactions in order to improve the quality of the LSR that is submitted, Qwest does not generally monitor CLEC transactions to ensure that pre-ordering functions are performed.

¹ WorldCom Comments at 6 and Lichtenberg Decl. at ¶¶ 5-6.

6. Only in three very limited circumstances does Qwest check to confirm that CLECs have performed pre-ordering queries and reject LSRs if the appropriate pre-ordering queries are not at least attempted:

1. *Telephone Number Selection*: If the LSR requires a new telephone number assignment and the CLEC uses placeholders (*i.e.*, 999-999-9999), then Qwest will reject the LSR if the CLEC did not attempt to reserve the telephone number through a TN Reservation query.
2. *Appointment Scheduling*: If an appointment is necessary for the activity requested on the LSR and the CLEC does not provide for an appointment on the LSR, then Qwest will reject the LSR if the CLEC did not attempt to schedule an appointment through the Appointment Scheduling pre-order query.
3. *CSR*: The only case in which Qwest checks to confirm whether the CLEC has run a pre-order CSR query is when Qwest's IMA finds a multiple CSR match. If there is a multiple CSR match and the CLEC has not even attempted to run a pre-order query, then IMA will reject the LSR.

7. WorldCom claims that it has received over 700 rejections on migration and account maintenance orders because no pre-order inquiry was performed.² But WorldCom's statement is unsupported and does not provide a timeframe during which WorldCom supposedly experienced these rejections. WorldCom cites a two-week period during which it experienced high reject rates.³ Qwest's research reveals, only [***CONFIDENTIAL MATERIAL BEGINS HERE*** ***CONFIDENTIAL MATERIAL ENDS HERE***] transactions

² WorldCom Comments at 6 and Lichtenberg Decl. at ¶ 6.

³ WorldCom Comments and Lichtenberg Decl. at ¶ 12.

were rejected because a pre-order query was not attempted to obtain information to populate the LSR representing approximately [*****CONFIDENTIAL MATERIAL BEGINS HERE***** *****CONFIDENTIAL MATERIAL ENDS HERE*****] of the rejected transactions. Each of these LSRs was rejected because WorldCom did not even attempt to perform a CSR inquiry and in processing the LSR, IMA encountered a multiple match situation (see #3 above). WorldCom's broad claims that Qwest will reject LSRs if certain pre-order transactions are not performed are therefore without merit.

B. Address Validation

8. WorldCom contends that one of the elements that makes Qwest's pre-order processes inefficient and unnecessarily protracted is Qwest's requirement that CLECs submit an address validation inquiry in order to obtain the address that is used to access the CSR and place an order.⁴ Additionally, WorldCom claims that the pre-order process is made even more difficult because Qwest often returns multiple addresses to the CLEC, and the CLEC must choose among them in consultation with the customer.⁵

9. Despite the overbroad nature of WorldCom's allegation, WorldCom has never disputed the importance of performing an address validation

⁴ WorldCom Comments at 3 and Lichtenberg Decl. at ¶ 4.

⁵ WorldCom Comments at 3 and Lichtenberg Decl. at ¶ 7.

on new and move requests.⁶ While Qwest currently requires an address on the CSR Inquiry, there is no steadfast requirement that CLECs perform an address validation to obtain the address. Moreover, a change request has been submitted through the Change Management Process (“CMP”) to eliminate the address requirement on CSR inquiries. This change has been prioritized for IMA Version 12.0.⁷

10. Regarding WorldCom’s complaint that Qwest’s OSS return multiple addresses, Qwest only returns multiple addresses to CLECs when Qwest’s OSS does not find an exact match, but, rather, finds more than one address that closely matches the CLEC entry.⁸ The return of multiple addresses that closely match the CLEC entry can benefit the CLEC’s validation of the address because the correct address can be determined quickly from the returned addresses, instead of requiring the CLEC to continuously try different addresses until it can obtain a match. This is helpful to the CLEC in situations in which the customer relates incomplete address information to the CLEC customer service representative or if the representative makes a mistake in its entry of the address.

⁶ The address requirement on conversion LSRs is addressed in Section II(C) of this Declaration.

⁷ See Reply Exhibit LN-1 (Change Request SCR043002-01).

⁸ Multiple addresses can also be returned when Address Validation is performed by TN and the number is found associated with more than one address. As specified in the IMA User’s Guide, Qwest strongly recommends performing Address Validation by entering an address. It is Qwest’s understanding, however, that WorldCom nevertheless continues to perform Address Validation by TN.

11. Notably, Qwest Retail experiences the return of multiple addresses under the same circumstances in which CLECs receive them. Thus, in addition to being without merit from an operational standpoint, WorldCom's complaints regarding Address Validation also fail to demonstrate a discriminatory practice.

C. Return of Multiple CSRs

12. WorldCom argues that it experiences significant business harm because Qwest often returns multiple CSRs in response to a CSR inquiry.⁹ WorldCom contends that when Qwest returns multiple CSRs to the CLEC, Qwest does not provide a way for the CLEC to program its interface to determine which CSR is the most recent.¹⁰ WorldCom contends that for the CLEC to display all of the CSRs to its customer service representatives so that it could discuss them with the customer to determine which CSR is the most recent would require significant OSS development.¹¹ WorldCom indicates that, as a result, it has decided to not accept customer orders in instances when Qwest returns multiple CSRs.¹²

13. Qwest already has provided the Commission with information regarding the return of multiple CSRs, and also has provided evidence that multiple

⁹ WorldCom Comments at 3 and Lichtenberg Decl. at ¶ 8.

¹⁰ WorldCom Comments and Lichtenberg Decl. at ¶ 8.

¹¹ *Id.*

¹² WorldCom Comments at 3.

CSRs are returned in only a very limited number of situations.¹³ Additionally, Qwest has presented the Commission with evidence demonstrating that each successive release of IMA is more sophisticated than the previous one in determining which accounts to display in response to a CSR query, thus resulting in a corresponding decrease in the return of multiple CSRs.¹⁴

14. Even in the limited circumstances in which multiple CSRs are returned, CLECs are provided with information that can assist them in determining which is the proper CSR. CLECs can review the two accounts to determine which is the most current. For each account, IMA provides the following fields: listed name, account status, billing telephone number, customer code and several address fields. In some instances the CLEC can use this information, with or without additional fact-finding with the customer, to determine which is the correct CSR.¹⁵ The CLEC also can review the full CSR for each account and use a variety of fields returned on the full CSR to resolve the multiple match if it is still unable to resolve it with the immediate information returned.¹⁶ Clearly, there are ways to resolve a multiple

¹³ See Qwest I and II 08/13/02a *Ex Parte* (Response to WCB on the Merging of Performance Data Files and Calculation of Z-Scores and Parity Scores); Qwest I and II 09/09/02c *Ex Parte* (Response to WCB on Occurrence Rates for CSR Transactions That Resulted in Multiple CSR Responses for May and June).

¹⁴ See Qwest I and II 09/09/02c *Ex Parte* (Response to WCB on Occurrence Rates for CSR Transactions That Resulted in Multiple CSR Responses for May and June).

¹⁵ See *id.*

¹⁶ See *id.*

CSR match. Qwest should not – and cannot – be held accountable simply because WorldCom has chosen not to deal with them.

D. Directory Listing Inquiry

15. WorldCom claims that Qwest makes its pre-order processes unnecessarily complex and inefficient for CLECs by requiring them to perform a separate directory listing inquiry to obtain the information needed to change a customer's directory listing instead of obtaining this information from the CSR.¹⁷ Specifically, WorldCom contends that even though the directory address is included on the CSR, other directory information necessary for an order such as the listing type caption, additional listing indicator, record type and style is provided only through the directory listing inquiry.¹⁸

16. All directory listing fields, including the fields specifically enumerated by WorldCom, can be found on the CSR. CLECs can find explanations of how to interpret listings data on the CSR in Qwest's Directory Listing User Document.¹⁹ The Directory Listing User Document advises CLECs how to obtain Additional Listing Indicator ("ALI") information on the CSR: "Following the left hand FID is the ALI code that is used on all types of listings with the exception of Main Listings. ALI Codes are always enclosed in parenthesis and consist of one,

¹⁷ WorldCom Comments at 6-7 and Lichtenberg Decl. at ¶ 4.

¹⁸ WorldCom Comments and Lichtenberg Decl. at ¶ 4.

¹⁹ See Qwest I Exhibit LN-OSS-8 (Directory Listing User Document) *also available at* <http://www.qwest.com/wholesale/training/dirlistuser.html>.

two, or three alpha characters, for example (A) or (AA) or (AAA).”²⁰ For Record Type, the Directory User Listing Document clearly provides that it appears as a left-handed FID for the directory listing along with an explanation of how to locate such FIDs.²¹ Finally, the Directory Listing User Document also provides detailed information regarding how CLECs can access listing type caption and style on the CSR.²² Thus, WorldCom’s claim is without merit.

E. Loop Qualification Issues

1. Loop Qualification – Overview

17. As demonstrated in Qwest’s previous declarations, Qwest meets the Commission’s requirements in providing loop make up information to CLECs. Qwest provides loop make-up information to CLECs principally through three tools: the IMA Raw Loop Data Tool, the web-based Wire Center Raw Loop Data Tool, and the IMA Loop Qualification Tool.²³ The Raw Loop Data Tool, the web-based Wire Center Raw Loop Data Tool, the Qwest DSL for Resale portion of the IMA Loop Qualification Tool, and the Qwest Retail Loop Qualification tool, are all supported

²⁰ See *id.* at 6-17.

²¹ See *id.* at 6-11, 6-16.

²² See *id.* at 6-18 and 6-19.

²³ The Qwest DSL for Resale and Unbundled ADSL Loop Qualification tools were combined into one in IMA 9.0, released in late February 2002. These tools are referred to collectively as the IMA Loop Qualification Tool. The Unbundled ADSL portion of the IMA Loop Qualification Tool accesses Facility Check which interfaces with LFACS to obtain loop qualification information as detailed in the Final Report, Test 12.7 p. 124.

by Qwest's Loop Qualification Database ("LQDB").²⁴ Each of the tools available to CLECs provides detailed information about the loop, such as the presence of load coils or bridged taps, presence of pair gain,²⁵ and the length and gauge of the loop and loop segments. In addition, the Raw Loop Data Tool provides loop make-up information for spare facilities, including both fully and partially connected spares.²⁶

18. By contrast, the Qwest Retail Loop Qualification Tool used by Qwest retail representatives does not return information on the underlying make-up information for a loop.²⁷ Rather, it returns a result that indicates if the end-user's loop qualifies for Qwest DSL service based upon the algorithm Qwest uses to determine if the loop can support Qwest DSL.

²⁴ Qwest would like to clarify the architecture of the loop qualification tools. The LFACS database passes loop information to the LEIS/LEAD application, which then uploads the loop information into the LQDB, which is equally available to both Wholesale and Retail alike.

²⁵ The terms "digital loop carrier" or DLC, and "pair gain" or PG are synonymous and used interchangeably.

²⁶ See Declaration of Lynn M V Notarianni and Christie L. Doherty, Operations Support Systems, Qwest I ("Qwest I OSS Decl.") at ¶114; Reply Declaration of Lynn M V Notarianni and Christie L. Doherty, Operations Support Systems, Qwest I ("Qwest I OSS Reply Decl."), ¶58; Declaration of Lynn M. V. Notarianni and Christie L. Doherty, Operations Support Systems, Qwest II ("Qwest II OSS Decl."), ¶113; Reply Declaration of Lynn M. V. Notarianni and Christie L. Doherty, Operations Support Systems, Qwest II ("Qwest II OSS Reply Decl."), ¶¶ 66, 76, 77, 87.

²⁷ See generally Qwest I OSS Decl. at ¶ 110; Qwest II OSS Reply Decl. at 108.

19. As the following chart demonstrates, the IMA Raw Loop Data Tool and the IMA Loop Qualification Tool provide all the information mandated by FCC orders, and more:

Field Names	UNE Remand Order Requirements	IMA Loop Qualification Tool**	IMA Raw Loop Data Tool and Wire Center Batch Raw Loop Data Tool
Bridge Tap Offset Distance	X		X
Bridge Tap Quantity	X	X	X (Bridge Taps per segment presented)
Cable Name	X	X	X
Fiber or Metal	X	X	D (from Cable Name)
Gauge	X	X	X
Length and Gauge for Bridge Tap	X	X	X
Length of Loop for that Gauge	X	X	X
Load Coil Quantity	X	X	X (Load Coils per

Field Names	UNE Remand Order Requirements	IMA Loop Qualification Tool**	IMA Raw Loop Data Tool and Wire Center Batch Raw Loop Data Tool
			segment presented)
Load Coil Type	X	X	X
Loop Length	X	X	X (each segment length presented)
Number of Gauge Changes	X		X (gauge changes presented in Loop Makeup Description)
Pair Number	X		X
Pair Gain Indicator	X	X	X
Pair Gain Type	X		X
F1/F2 Disturber Location and Type	X ²⁸		

²⁸ Disturber information is not contained in Qwest's records at a loop level. Disturber information is kept in the Engineering records at a binder group level, because the information is used to perform overall network management and binder

Field Names	UNE Remand Order Requirements	IMA Loop Qualification Tool**	IMA Raw Loop Data Tool and Wire Center Batch Raw Loop Data Tool
Remote Switch Indicator		X	D (for locations of remote DSLAMs the Terminal ID contains both the word DSLAM and then the physical address)
Status of Loop		X	X
# of Wires – 2-or 4-wire		X	
CKID – Circuit Identifier		X	X
End User Address		X	X
Equivalent Loop Length		X	D (from Loop

management. The FCC disagreed with CLECs' requests to "require incumbent LECs to catalogue, inventory, and make available to competitors loop qualification information through automated OSS even when it has no such information available to itself." The FCC went on to state that "[i]f an incumbent LEC has not compiled such information for itself, [it does] not require the incumbent to conduct a plant inventory and construct a database on behalf of requesting carriers." *UNE Remand Order*, 15 FCC Rcd at 3885 (¶ 429) (footnotes omitted). As stated, Qwest does not compile this information at the loop level for itself.

Field Names	UNE Remand Order Requirements	IMA Loop Qualification Tool**	IMA Raw Loop Data Tool and Wire Center Batch Raw Loop Data Tool
(determined as if the loop were all 26 gauge)			Makeup Description)
Insertion Loss (calculated at 196 kilohertz frequency with 135 ohm terminations)		X	
MLT Distance (Mechanized Loop Test)			X
Pair Number		X	X
Qualification Result		X	D (based on all info returned)
RLC - Remote Location CLLI		X	X
Terminal Address per Segment		X	X
TN - Telephone Number		X	X
Wire Center CLLI		X	X

Field Names	UNE Remand Order Requirements	IMA Loop Qualification Tool**	IMA Raw Loop Data Tool and Wire Center Batch Raw Loop Data Tool
Wire Center Name (CLLI code)		X	X

Legend

** = Data returned via Loop Qual Tab & Loop Data Tab. Based on LSOG 5.

X = Present/Available

D = Determinable by Other Data Provided

20. Despite this compelling evidence that Qwest's loop qualification tools meet every FCC test and standard, AT&T and Covad continue to complain. Most of the arguments raised by AT&T and Covad are mere restatements of their comments in Qwest's earlier 271 filings. Nevertheless, Qwest will address those issues again here.

B. Covad's General Concerns

21. As stated in the Qwest I and Qwest II Reply Declarations, Covad has acknowledged that it has never stated in any testimony or brief that the categories of information provided by the Raw Loop Data Tool are insufficient for

Covad to determine whether a loop meets Covad's technical needs.²⁹ Covad's only issue with the Raw Loop Data Tool concerns the accuracy of the data within the tool. Since that declaration, Qwest has questioned Covad on the subject of loop qualification in the state of Minnesota, which examination uncovered several revealing facts.

22. During the Minnesota hearing, Covad again acknowledged that all of the "categories of information it requires in order to determine whether it can offer xDSL services" are contained within Qwest's Raw Loop Data Tool.³⁰ Thus, Covad has positively confirmed under oath that its concern is limited solely to its perception that the "raw loop data tool information is neither accurate nor reliable."³¹

23. Covad purports to have evidence that the information in Qwest's Raw Loop Data Tool is inaccurate; however, the data Covad has proffered for that proposition is seriously wanting by Covad's own admission. In its filings before the Commission, Covad has complained about data from an FOC trial in Colorado dating back to the spring of 2001.³² In Minnesota, Covad made a similar complaint arguing that the Raw Loop Data Tool did not historically contain information about

²⁹ Qwest II OSS Reply Decl. at ¶41.

³⁰ See Reply Exhibit LN-2 (Minnesota Transcript of Proceeding, October 8, 2002) at 78, l. 17 – 79, l. 5.

³¹ *Id.*

³² See, e.g., Covad Comments at 19-22.

non-published numbers. On this point, Covad acknowledged that Qwest rectified this issue in August 2001.³³ Covad's second area of purported evidence of inaccuracy in Minnesota was a group of shared loop orders that were initially held for line conditioning. Covad alleged that tool inaccurately indicated that loops required conditioning when, according to Covad's analysis, they did not. To support its case, however, Covad did not introduce or rely upon screen prints from the Raw Loop Data Tool contemporaneous with its submission of its orders. Instead, Covad "re-queried" the Raw Loop Data Tool sometime *after* Qwest had conditioned and provisioned the shared loops at issue.³⁴ What Covad did not factor into its testimony, however, was that Qwest updates LFACS when it conditions a loop.³⁵ Because Covad "re-queried" the loop information after the shared loops had been conditioned and provisioned, Qwest had already completed the updates of that information in LFACS, and the response showed the current status of the loop. Once it recognized this point, Covad admitted that its data would support a conclusion that Qwest had correctly updated LFACS to account for the fact that those lines had been conditioned.³⁶ Thus, even as to its purported area of concern, Covad has no evidence that the Raw Loop Data Tool is inaccurate or unreliable.

³³ See Reply Exhibit LN-2 (Minnesota Transcript of Proceeding, October 8, 2002) at 90, l. 23 – 91, l. 11.

³⁴ *Id.* at p. 113, ll. 9-21.

³⁵ *Id.* at p. 114, l. 9 – 116, l. 24.

³⁶ *Id.* at p. 130, ll 17-22.

24. Covad's methods for utilizing Qwest's loop qualification tools further explain some of Covad's unfounded claims. First, the Commission should recognize that Covad does not use *any* of Qwest's loop qualification tools when it orders stand-alone unbundled loops.³⁷ Instead, Covad relies upon its own pre-qualification tool as well as Qwest's 11-step assignment process described in the Declaration of William M. Campbell.³⁸ In other words, Covad submits orders for stand-alone unbundled loops regardless of whether the Raw Loop Data Tool would show that all loops to that address – both current loop(s) and all known spares and segments that could be connected together – could not support the xDSL service Covad hopes to provide.

25. Covad only uses the Raw Loop Data Tool and only when it orders shared loops.³⁹ Here, Covad again uses its own pre-qualification tool as well as the Qwest Raw Loop Data Tool. To perform its pre-qualification work, Covad uses employees and contractors from Teletech to determine whether the loop can support the requested service.⁴⁰ Covad does not require that these employees and

³⁷ *Id.* at p. 85, ll. 8-23.

³⁸ See Declaration of William M. Campbell, Unbundled Loops, Qwest I, at ¶ 40 and Exhibit WMC-LOOP-7; Declaration of William M. Campbell, Unbundled Loops, Qwest II, at ¶ 41 and Exhibit WMC-LOOP-7. Covad's prequalification tool for stand-alone loops does not incorporate, use, or rely upon information from Qwest's Raw Loop Data Tool in any way. Reply Exhibit LN-2 (Minnesota Transcript of Proceeding, October 8, 2002) at 90, l. 23 – 91, l. 11.at 87, l.21 – 88, l.8.

³⁹ *Id.* at 89, ll. 1– 22.

⁴⁰ *Id.* at 80, l. 21 – 82, l. 11.

contractors have the necessary technical background or experience.⁴¹ The problem with this practice is that the information within the Raw Loop Data Tool is technical, and as the CLEC Job Aid instructs CLECs, CLEC employees need telecommunications engineering background to interpret the data.

26. Covad's flawed loop qualification process is further exacerbated by the fact that Covad is using the wrong loop qualification tool. Covad has stated on many occasions the importance of providing it with detailed raw loop data because that will allow Covad to determine whether its "unique flavor" of DSL will work on the line. As stated above, however, Covad does not use Qwest's Raw Loop Data Tool for stand-alone loops when it could provide some "unique flavor" of DSL. It only uses the tool for line sharing. Line sharing, by its very nature, has limitations on the types of DSL that can be used. On this point, Covad acknowledged that it uses the ANSI-standard version of ADSL in the provision of shared loops: "if the ANSI standard is met, then [it] knows for a fact that [Covad's] shared loop service will be supported on that line."⁴² Covad has not hired people who can interpret the data the tool returns. If all Covad needs to determine is whether a line meets ANSI standards for ADSL, it should utilize the Unbundled

⁴¹ See Reply Exhibit LN-3 (Minnesota Transcript of Proceeding, October 9, 2002) at 47, l. 19 – 48, l. 10. Covad trains those individuals that use the Raw Loop Data Tool on its behalf by providing written material from Qwest, which material specifically states that it requires an engineer to interpret the data. *Id.* at 48, ll. 12-25.

⁴² Minnesota 10/8/02 Transcript at 65, l. 18 – 66, l. 5.

ADSL portion of the Loop Qualification Tool. This tool provides a “Yes” or “No” qualification response that indicates whether the loop meets ADSL standards, calculates insertion loss for the CLEC, and provides loop make-up information in a format consistent with LSOG 5 guidelines.

27. Qwest has now had an opportunity to probe behind Covad’s long-standing assertions that the Raw Loop Data Tool is inadequate. These allegations simply do not hold water. As final evidence that Covad’s claims are overstated, even though Qwest has offered a manual loop qualification process for several months in the event a CLEC believes that the data in either the Raw Loop Data Tool or the Loop Qualification Tool is incomplete, inconsistent, or if the CLEC questions the accuracy of that make-up information, Covad has not requested a single manual loop qualification.

C. Direct Access to LFACS

28. AT&T contends that because Qwest does not provide CLECs with direct access to its LFACS database, it does not provide the same loop qualification information that is available to Qwest.⁴³ This is the same claim AT&T made – and to which Qwest responded – in both the Qwest I and Qwest II proceedings.⁴⁴ The only difference now is that AT&T makes a few additional allegations to support its claim. But, as explained more fully below, these new

⁴³ See AT&T Comments and Finnegan/Connolly/Wilson Decl. at ¶ 22.

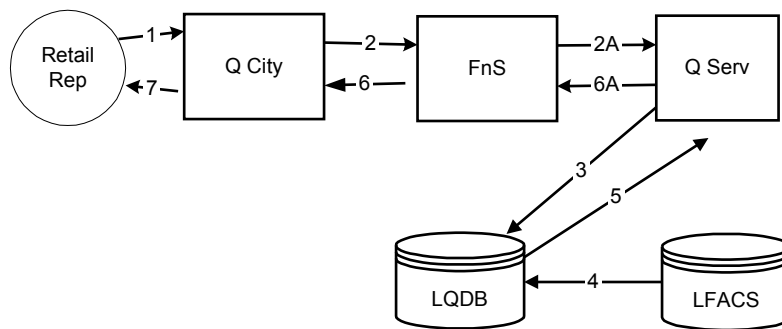
⁴⁴ See generally Qwest I OSS Reply Decl. at §II.A; Qwest II OSS Reply Decl. at §II.A.

allegations are incorrect and do not preclude a finding that Qwest's loop qualification tools comply with Section 271.

29. AT&T's newest claim is that the work papers from KPMG's third-party test regarding access to loop qualification information (Test 12.7) indicate that Qwest retail personnel have direct access to LFACS.⁴⁵ AT&T misconstrues KPMG's work papers. The work paper that AT&T relies upon was based upon KPMG's initial interviews with Qwest regarding loop qualification and represented KPMG's preliminary assumptions. During these initial interviews, KPMG did not completely or accurately understand Qwest's loop qualification tools. Subsequently, in November 2001, KPMG conducted additional detailed interviews, met with Qwest retail and wholesale personnel, and witnessed demonstrations of the various loop qualification tools. As a result of this additional investigation and analysis, KPMG corrected its prior assumptions, including its notes regarding the loop qualification information available to Qwest retail representatives. This revised analysis is described in KPMG's work papers and in Test 12.7 of the Final Report.

⁴⁵ AT&T Finnegan/Connolly/Wilson Decl. at ¶ 29. AT&T also asserts that in the hearing before the Minnesota Public Utilities Commission, Qwest did not dispute the content of the work papers. In actuality, Qwest attempted to provide surrebuttal testimony regarding this issue; however, AT&T vehemently objected and, as a result, Qwest was not given the opportunity to provide specific testimony regarding this issue. Nevertheless, during the course of its testimony in Minnesota, Qwest explained that Qwest's retail loop qualification tools and QCity/QServ do not provide Qwest retail representatives with direct access to LFACS. Rather, LFACS is the source of the loop information for the LQDB that serves both the wholesale and retail tools.

30. In fact, the Final Report includes the following diagram (Figure 12.7-1), which plainly shows that Retail representative do not have direct access to the LFACS database through QServ and QCity. To determine whether a loop qualifies for Qwest DSL, Qwest retail representatives access the LQDB through QCity/QServ; they do not access LFACS. LFACS is the source of the loop information in the LQDB, and the loop information in the LQDB is equally



available to both Wholesale and Retail.

Figure 12.7-1: Qwest Retail Loop Qualification Query Process

1. Representative accesses QCity Loop Qualification by telephone number (TN); Representative enters TN.
2. QCity sends telephone number to QServ.
- 2A. Data is transferred from QCity to QServ via Fetch 'n Stuff (FnS).
3. QServ pulls Raw Loop Data (RLD) to make loop qualification determination from Loop Qualification Data Base (LQDB).
4. LQDB checks Loop Facilities Assignment & Control System (LFACS) to verify that data is current.
5. LQDB returns RLD for TN(s).
6. QServ uses RLD to determine loop qualification, and sends loop qualification results to QCity.
- 6A. Data is transferred from QServ to QCity via FnS.

7. *QCity sends loop qualification results to representative.*

The Final Report also includes the following process description:

Process Description: The QCity interface submits the query information to QServ. QServ is a middleware application that collects raw loop data from the LQDB, and uses an algorithm to determine whether or not the loop qualifies, based on the technical specifications for Qwest DSL service.

31. AT&T also seems to find revealing the acknowledgement that Qwest network technicians have access to LFACS for provisioning purposes. LFACS is an assignment and provisioning database – that is, it is used for the assignment of facilities during the provisioning process for wholesale and retail customers. The network engineers who access LFACS do so for provisioning purposes, not to qualify loops for DSL service. More importantly, those engineers access LFACS on behalf of both CLECs and Qwest retail – on a nondiscriminatory basis for provisioning purposes.

32. When evaluating AT&T's demand for ever more loop make up information and unfettered access to each and every database Qwest maintains, it is important to put AT&T's demands into context. As Confidential Exhibit LN-4 (DSL-Type Loops Ordered by AT&T) demonstrates, *****CONFIDENTIAL MATERIAL BEGINS HERE*****

*****CONFIDENTIAL MATERIAL ENDS HERE***]** Furthermore, like Covad, AT&T has not availed itself of the manual process Qwest established several months ago. Thus, AT&T does not have competitive standing to demand more of Qwest.

33. CLECs have raised claims for direct access to LFACS in the Colorado 271 proceeding, the Washington 271 proceeding, and the Multi-State proceedings. All of the commissions in the states included in this application found that direct access was not necessary, and that the mediated access Qwest provides is adequate. ⁴⁶

D. Comments Regarding Pre-order Mechanized Loop Tests Versus Post-order Provisioning Mechanized Loop Tests

34. AT&T and Covad again argue that Qwest does not meet its obligations under the Act because it has not created the functionality for CLECs to perform a mechanized loop test (“MLT”) on a pre-order basis. ⁴⁷ These CLECs raised this issue and their arguments in the state proceedings, and the state commissions in each of the Application states denied their demand. Thus, the state commissions have evaluated this issue already. ⁴⁸ Qwest also previously addressed

⁴⁶ Qwest I OSS Reply Decl. at ¶ 56, n.63; Qwest II OSS Reply Decl. at ¶ 62, n.77.

⁴⁷ AT&T Finnegan/Connolly/ Wilson Decl. at ¶ 21; Covad Comments at 2.

⁴⁸ See *Washington Commission 20th Supplemental Order Addressing Checklist Item No. 4, Emerging Services, General Terms and Conditions, Public Interest*;

this issue in its Qwest I and Qwest II applications.⁴⁹ For the benefit of the Commission, Qwest will restate its position here.

35. There are several reasons why the claims of AT&T and Covad are unfounded. First, the Loop Qualification Tool and the Raw Loop Data Tool available via IMA are more comprehensive and accurate tools to verify that the loop can support the services the CLEC intends to provide over that loop facility than an MLT. For example, the version of MLT currently deployed by Qwest does not report the presence of bridged taps and load coils, important information for determining whether a loop qualifies for advanced services. In addition, the MLT may provide misleading loop length information; because it is a test that measures resistance on the line, an MLT may overestimate loop length by as much as 20 percent. Several factors can have an impact on the loop length that an MLT returns. For example, the simple act of unplugging a telephone can change the reported MLT loop length. Because MLT is a resistance test, MLT also is not capable of measuring individual segment lengths, such as F1 or F2, of accounting for gauge changes, or determining db loss.

36. Although the Qwest version of MLT will provide an indication that digital loop carrier equipment is present, it does not provide details of that

Track A, and Section 272 at ¶ 74; Colorado Hearing Commissioner Order on Requests to Modify Volume VA Order at 6-8; Multi-state Facilitator's Report on Checklist Items 2, 4, 5, and 6 at 64.

⁴⁹ See Qwest I Notarianni/Doherty Reply Decl. ¶¶ 43-51; Qwest II Notarianni/Doherty Reply Decl. ¶¶ 43-57.

equipment. The Raw Loop Data Tool, however, returns information about the presence, location, and type of digital loop carrier on the loop. The Loop Qualification Tool also presents information on the presence of pair gain. Accordingly, a Qwest MLT will not provide more detailed or more accurate loop make-up information; to the contrary, it provides a limited amount of loop make-up information all of which is already contained within loop qualification tools provided to CLECs today.

37. Second, the MLT loop length from an MLT distance data extraction conducted by Qwest more than two years ago has been incorporated into the Raw Loop Data Tool.⁵⁰ When Qwest first created the LQDB, there was a limited amount of loop make-up information available to qualify facilities for xDSL services. Because of the lack of loop length information for some facilities at that time, Qwest used the MALT application⁵¹ to perform MLT tests to extract MLT distance and populate it in the MLT Distance field in the LQDB. The MLT information entered into the LQDB as part of this data extraction was baseline information only and may not have reflected the actual length of a loop, as discussed above.

⁵⁰ MLT distance was only obtained and entered into the LQDB for copper facilities.

⁵¹ The MALT application is described below.

38. Covad has speculated that Qwest obtained and “hoarded” other information beyond the MLT distance during this loading process.⁵² It did not. The MLT process that was used extracted only a subset of the MLT data (the telephone number, verification code,⁵³ date and time, and loop length), not the “almost one hundred data points” that Covad alleges are available.⁵⁴ Also, as discussed above, because the version of MLT used in Qwest’s network does not return information on the presence of bridged taps and load coils, the MLT distance data extraction would not have information on bridged taps or load coils.

39. Covad further misconstrues Qwest’s ex parte in connection with Qwest’s Qwest I application describing the population of the LQDB with MLT distance information. Covad speculates that Qwest “hoarded the remaining information generated by the MLT tests, by referring it only to a ‘dedicated engineering team for manual handling’ rather than using the information generated to correct any inaccuracies or update the information contained in the RLDT.”⁵⁵ As discussed in the preceding paragraph, Qwest did not obtain any additional loop information from this MLT process beyond the telephone number, date and time, verification code, and loop length. As Qwest has clearly stated, the only information

⁵² Covad Qwest II Comments at 27.

⁵³ A verification code is a signal that indicates whether the MLT was successfully completed.

⁵⁴ Covad Qwest II Comments at 34.

⁵⁵ *Id.* at 27.

referred to the dedicated engineering team was in situations where there was no MLT distance information to populate the LQDB.⁵⁶ For those missing segments which could not be fixed by this data extraction for distance information, Qwest again moved to improve its information by dedicating an engineering group of Senior and Lead engineers, to improving the information provided in LQDB. The loop information generated by the dedicated engineering team was populated in the LQDB.⁵⁷

40. To that end, Qwest subsequently, throughout 2001, embarked on an aggressive undertaking to add the feeder and distribution loop make-up information into the LFACS database, which is the source of the loop information in the LQDB. Because both Qwest and CLECs use the LQDB to perform loop qualification queries, and CLECs use this database to obtain raw loop data, this information is equally available to both Qwest and CLECs.

41. Furthermore, both the Raw Loop Data Tool and the IMA Loop Qualification Tool include loop length information in addition to the MLT length. As set forth in Loop Qualification and Raw Loop Data CLEC Job Aid (Exhibit LN-OSS-7 in my Qwest II OSS Declaration), the Raw Loop Data Tool returns loop length information in several fields, including detailed segment information for

⁵⁶ See Qwest II OSS Reply Exhibit LN/CLD-2 (July 10 Ex Parte on Bill Auditability, DUF Test History, Manual Service Order Accuracy, FOCs Followed by Jeopardy Notices and Loop Qualification)

⁵⁷ See *id.*

feeder and distribution portions of the loop. This is found in the “Makeup Description” field of Raw Loop Data Tool. In addition, the Raw Loop Data Tool returns a separate field called “MLT Distance” containing estimated loop length derived from the MALT process described herein. The Makeup Description field is more accurate than the MLT Distance field. For example, Qwest’s retail loop qualification algorithm uses the MLT estimated loop length only when loop makeup information is not available. The IMA Loop Qualification Tool also includes loop length information, such as the equivalent loop length, if available,⁵⁸ the loop length, and sub-segment loop length by gauge.

42. Covad alleges that Qwest “runs the MLT every month, but updates only the MLT distance rather than updating all loop make up information.”⁵⁹ This is not accurate. Each day Qwest refreshes loop information in the LQDB for approximately 60 wire centers. Over the period of approximately one month, all of Qwest’s wire centers will be refreshed. As part of the refresh process, the MLT Distance information in the Raw Loop Data tool is also refreshed. As part of the refresh process, LQDB identifies one non-loaded copper loop for each serving terminal for which no valid MLT result exists in each of the serving wire centers that are being refreshed that day.⁶⁰ Subsequently, this list of telephone numbers is

⁵⁸ Equivalent loop length estimates the length of the loop if the gauge of the loop were 26 gauge.

⁵⁹ Covad Qwest II Comments at 27.

⁶⁰ A serving terminal generally serves an entire neighborhood.

sent to MALT, which is an application that performs a mechanized MLT ⁶¹ on those telephone numbers, but returns only the following information: Telephone Number (TN), Verification Code (i.e., success or failure of the test), Date & Time Stamp, and Loop Length in Feet (included only if the verification code indicates success). When the MLT Distance is returned for the telephone number that was identified for a specific serving terminal, it is applied to all loops in that serving terminal. Because the MLT Distance is retrieved for only one loop in the serving terminal, but applied to all loops in that same serving terminal, the MLT Distance is adjusted based on a number of factors, such as the wire-center and the distance band, to account for differences in the loop lengths of the other loops in that serving terminal and to compensate for the inherent inaccuracies of MLT distance values. ⁶² This adjusted Loop length is populated into the MLT Distance field of the LQDB for each loop in that specific serving terminal. ⁶³ This process repeats itself for each wire center. Once the adjusted loop length is populated in the LQDB, it is equally available to both CLECs and Qwest personnel. This process occurs for wire centers where Qwest has deployed DSL in addition to those wire centers where Qwest has not

⁶¹ This type of MLT test measures the loop length and immediately drops the end-user customer's line to minimize the time that the end-user customer's line is held up.

⁶² Because this type of MLT test is performed on only one telephone number in the serving terminal, but applied to all loops in that serving terminal, this process is not as invasive as if an MLT test were performed on all telephone numbers in that particular serving terminal.

deployed DSL. Thus, CLECs already have access to the MLT information that Qwest has obtained, and that information is updated regularly for all wire centers.

43. Third, an electronic MLT can only be performed by Qwest on loops with working telephone numbers that are connected to a Qwest switch. Thus, an electronic MLT cannot be performed on spare loop facilities, as spare facilities do not have working telephone numbers. Additionally, Qwest cannot perform an MLT on unbundled loops that have been provided to a CLEC because such a loop is no longer connected to a Qwest switch. Once the loop is unbundled from a Qwest switch and transferred to the CLEC switch, neither Qwest nor another CLEC would have the ability to perform a Qwest MLT on that loop. For the most part, provisioning of DSL loops are new connects rather than a conversion of an existing service. Therefore, an electronic MLT could not be performed.

44. Fourth, the retail Qwest DSL pre-qualification process does not include “live” loop-by-loop MLT testing.⁶⁴ Retail sales employees are neither trained on nor do they have access to loop-by-loop MLTs. Those employees use the retail Qwest DSL qualification tool that informs them if Qwest DSL is available at a specific address or telephone number. This is far less information than is provided

⁶³ This is the same process that was utilized during the initial load of the MLT Distance data described herein.

⁶⁴ As discussed below and in Ms. Cheshier’s Declaration, the MLTs the Qwest CLEC Coordination Center performs are not performed on behalf of Qwest retail or for the purposes of pre-order loop qualification.

to CLECs through the loop qualification tools as CLECs receive specific detailed information on loop makeup and length of the loop.

45. Fifth, if CLECs find conflicting or incomplete loop make-up information or if the CLEC believes that the information returned is incorrect, Qwest will conduct a manual search of its records to obtain loop make-up information.⁶⁵ As part of this manual process, Qwest will research its back office records and databases and provide the CLEC with the complete loop make up information within 48 hours. This manual process would provide more information than Qwest's current version of an MLT would.

46. The Alliance for Telecommunications Industry Solutions (ATIS) through its Ordering and Billing Forum (OBF) recognized the need for standardization in systems access and loop qualification information. The Local Services Ordering and Provisioning committee of the OBF addresses and resolves "issues focused on the ordering and/or provisioning of local telecommunications services using the Local Service Ordering Guidelines (LSOG)."⁶⁶ The LSOG, version 5, included guidelines on pre-order loop qualification information. Those guidelines do not include reference to providing MLT information as a pre-order loop qualification function. Accordingly, the industry standards organization has not determined that this information is necessary for loop qualification purposes.

⁶⁵ See Qwest II OSS Decl at ¶¶ 116-17.

⁶⁶ See <http://www.atis.org>.

47. Finally, AT&T claims that Qwest does not permit CLECs to perform or request pre-order MLTs while doing so for itself. In making this allegation, AT&T relies upon the Declaration of a former Qwest employee, Edward Stemple. However, AT&T mischaracterizes the MLTs the Qwest CLEC Coordination Center (“QCCC”) performs. The MLT tests to which AT&T is referring are performed by the QCCC during the *provisioning process*, and not on a pre-order basis. More importantly, AT&T has it backwards – the QCCC performs the MLT tests *for CLECs*, while similar tests are not performed for Qwest retail orders.

48. As the Declaration of Mary Pat Cheshier explains, the MLT tests that AT&T discusses are not performed on a pre-order basis, but are performed for CLECs after the CLEC issues the LSR for service – on a post-order basis as part of the loop provisioning process. Moreover, these MLTs are not conducted for purposes of loop qualification. Rather, these MLTs are performed only on an existing Qwest retail or resale line prior to being converted to a CLEC unbundled loop to ensure that the loop as provisioned would perform as specified and to avoid trouble reports shortly after installation.

49. As Ms. Cheshier further explains, a limited amount of information from these MLTs is retained in the remarks section of Work Force Administrator for the purpose of maintaining a complete record of the provisioning of the loop. The information is not retained as a record of the characteristics of the loop and is not loaded into the databases that support the LQDB. The information

retained does not include such loop qualification information as the presence or location of bridge taps and load coils – the information retained relates almost exclusively to whether trouble was found and cleared on the loop. ⁶⁷

50. It bears noting that the MLT information at issue would be of no use to CLECs for loop qualification purposes because it exists only for loops that CLECs have already ordered, and not for Qwest retail loops. Please see the Declaration of Mary Pat Cheshier for a more detailed description regarding this issue.

E. Summary

51. Qwest meets the requirements of Section 271 by providing significant functionality to CLECs so that they can determine whether a loop qualifies for xDSL services. In addition, Qwest has implemented a manual process to permit CLECs to obtain loop make-up information manually in the unlikely event that the Raw Loop Data or Loop Qualification Tools provide incomplete or unclear make-up information for a particular address or telephone number or if the CLEC believes that the returned loop information may be inaccurate. ⁶⁸

⁶⁷ Limited loop length information is sometimes retained, but as described below, MLT loop length is not as reliable as other loop length information, and to the extent it is the best information available, MLT loop length information is already loaded by Qwest into the Loop Qualification Database via the MALTs process.

⁶⁸ See Qwest I OSS Reply Decl. at ¶¶ 69-71; Qwest II OSS Reply Decl. at ¶¶ 42, 55, 82, 84-85.

52. If a CLEC desires additional enhancements or changes to any of Qwest's loop qualification capabilities, Qwest's Change Management Process provides a forum in which CLECs can raise, evaluate, and prioritize such requests.

II. ORDERING

A. High Reject Rates

53. AT&T claims that certain aspects of Qwest's OSS "increase the likelihood of order rejections" and therefore, high reject rates should not be attributable to CLEC error.⁶⁹ This claim is identical to the claims made by AT&T and responded to by Qwest in the Qwest I and Qwest II proceedings.⁷⁰ There is no need to respond to AT&T's claims for a third time.

54. WorldCom raises a claim similar to AT&T's by stating that Qwest's ordering processes lead to high reject rates.⁷¹ Although WorldCom complains of a high reject rate, most of its rejects are within its control. Looking at the two-week period referenced by WorldCom, nearly half of WorldCom's rejects were due to three causes. The top three causes were *****CONFIDENTIAL MATERIAL BEGINS HERE*****

⁶⁹ AT&T Qwest III Comments at 61 and Finnegan/Connolly/Wilson Decl. at ¶ 62.

⁷⁰ See Qwest I OSS Reply Decl. at ¶¶ 95-101 and Qwest II OSS Reply Decl. at ¶¶ 120-138.

⁷¹ See WorldCom Qwest III Comments at 9 and Lichtenberg Decl. at ¶ 12.

72 73

*****CONFIDENTIAL MATERIAL ENDS HERE***]** Many CLECs with LSR order volumes comparable to or higher than WorldCom’s have been able to achieve low reject rates. ⁷⁴

55. WorldCom further claims that the one or two CLECs that have achieved low reject rates on orders placed via EDI are “aberrational” and are not

⁷² *****CONFIDENTIAL MATERIAL BEGINS HERE*****

*****CONFIDENTIAL MATERIAL ENDS HERE***]**

⁷³ See WorldCom Qwest III Lichtenberg Decl. at ¶ 28. Qwest has advised WorldCom that the customer code is optional. However, when a CLEC supplies a customer code, it must be the correct customer code, otherwise IMA will search and not find the account number (including the customer code) specified on the LSR.

⁷⁴ See Reply Exhibit CLD-5 (CLEC-Specific LSR Reject Rates) (Redacted – For Public Inspection).

representative of the “typical CLEC.”⁷⁵ Qwest has provided examples of at least seven CLECs (CLEC 2, 6, 8, 9, 4, 5 and 7) that have been able to achieve low reject rates for EDI orders.⁷⁶ Some of these CLECs had the highest volumes among all CLECs for the particular period reported.⁷⁷ These CLECs are not aberrational and constitute only a sample of the CLECs that achieved low reject rates for EDI orders.

B. Pre-Order/Order Integration

1. Pre-Order/Order Integration Difficulties

56. WorldCom argues that Qwest’s demonstration in the Qwest I and Qwest II proceedings of pre-order to order integration capabilities is insufficient because “it does not mean that other CLECs can [integrate]” and Qwest did not present the type of orders that the integrating CLECs were submitting.⁷⁸ Despite WorldCom’s claims, Qwest’s evidence does, in fact, demonstrate that other CLECs can integrate pre-ordering and ordering activities.

57. Qwest has demonstrated compliance with the Commission’s standards on pre-order to order integration, including making a showing that it has provided CLECs with access to integration *capability*.⁷⁹ Qwest has demonstrated

⁷⁵ WorldCom Qwest III Comments at 9.

⁷⁶ Qwest I OSS Reply Decl. at ¶¶ 100, 102, 104, 106, 108 and Qwest II OSS Reply Decl. at ¶¶ 131-32, 137-38.

⁷⁷ *Id.*

⁷⁸ WorldCom Comments and Lichtenberg Decl. at ¶ 13.

⁷⁹ See Qwest I and II 08/08/02c *Ex Parte* (Response to WCB on Pre-order/Order Integration). See *New York 271 Order* at ¶ 137; *Texas 271 Order* at ¶ 152 (“[A] BOC

its compliance through the attestations of CLECs and service providers that have successfully developed interfaces that integrate Qwest pre-order and order data.⁸⁰ Specifically, New Access (a CLEC) has confirmed that it has integrated pre-order and order transactions in Qwest's IMA-EDI.⁸¹ Additionally, two EDI service providers, Telcordia and Nightfire, have confirmed that CLECs use the integration capability that they have developed.⁸² Qwest has demonstrated that 31 CLECs have built interfaces to Qwest's EDI interfaces.⁸³ Therefore, based on the testimonials provided by New Access, Telcordia and Nightfire, each is *capable* of integrating pre-order and order data and WorldCom's contention that Qwest's evidence "does not mean that other CLECs can [integrate]" is absurd.⁸⁴

58. WorldCom insinuates that because Qwest did not specify the types of orders placed by CLECs that are integrating with Qwest's OSS, there is no

with integrated pre-ordering and ordering functions for its retail operations must provide competing carriers with access to the same *capability*.”) (emphasis added).

⁸⁰ See Qwest I and II 08/08/02c *Ex Parte* (Response to WCB on Pre-order/Order Integration).

⁸¹ See Qwest II Exhibit LN-OSS-15 (Letter to Jeff Thompson, Qwest, from David Lueck, New Access, dated June 19, 2002).

⁸² See Qwest I Exhibit LN-OSS-12 (Letter to Jeff Thompson, Qwest, from Richard Jocawleff, Telcordia, dated January 28, 2002); Qwest I Exhibit LN-OSS-13 (Letter to Jeff Thompson, Qwest, from Venkates Swaminathan, Nightfire, dated May 22, 2002).

⁸³ See Qwest I 07/19/02 *Ex Parte* (Notice of Meeting with WCB on Billing, Bill Auditability, Manual Service Order Accuracy, Interfaces and SATE).

⁸⁴ See Qwest I and II 08/08/02c *Ex Parte* (Response to WCB on Pre-order/Order Integration).

evidence that WorldCom could successfully integrate Pre-Order to Order.⁸⁵ But WorldCom need not look any further than evidence presented by HP to discover that CLECs can perform successful UNE-P pre-order to order integration. During the ROC OSS Test, HP, in its role as the pseudo-CLEC, successfully developed and used an EDI interface that integrated pre-order and order data to submit LSRs.⁸⁶ Among the LSRs that HP submitted, HP affirmed that it integrated pre-order to order CSR for Resale and UNE-P POTS orders.⁸⁷ Further, HP achieved a reject rate of only 12.15% for 889 UNE-P orders submitted.⁸⁸ HP's results demonstrate that achievement of successful integration through IMA-EDI is associated with a low rate of rejections regardless of the type of orders submitted.

59. WorldCom contends that integration with Qwest's OSS is made more difficult because Qwest uses non-standard fields for features and feature details at the pre-order stage that have to be matched to Qwest's ordering fields.⁸⁹ AT&T adds particularity to the WorldCom claim, stating that because Qwest bases its design of the CSR on the USOCs for the various products and services ordered by the customer, a CLEC service representative must search through the CSR to

⁸⁵ WorldCom Comments and Lichtenberg Decl. at ¶ 13.

⁸⁶ See Qwest I and II 08/08/02c *Ex Parte* (Response to WCB on Pre-order/Order Integration).

⁸⁷ See Qwest I HP notice of *Ex Parte* meeting with WCB Staff regarding Pre-order/Order Integration and Parsing (Aug. 8, 2002).

⁸⁸ See Qwest I 07/29/02a *Ex Parte* (Response to FCC on Pre-order/Order Integration).

⁸⁹ WorldCom Comments at 5 and Lichtenberg Decl. at ¶ 13.

find individual data items to auto-populate them onto the LSR.⁹⁰ AT&T specifies that each USOC on the parsed CSR is parsed by a string of data containing the telephone number associated with the USOC so that CLECs using the parsed CSR must parse the data in the Service & Equipment section to determine the applicable telephone number and line-based features associated with that particular number.⁹¹ AT&T contends that as a result of the information being presented in this manner by Qwest, the CLEC is likely to populate the information manually onto the LSR instead of searching separately for USOCs, field identifiers, the customer's telephone number and other items returned on the CSR.⁹²

60. In response to this same claim by AT&T in the Qwest II proceeding,⁹³ the DOJ found that “[a]lthough a less complicated organization may be preferable for use in AT&T’s own systems, it does not appear to preclude the full and successful integration of pre-order and order functions for all CLECs.”⁹⁴ This is an unsuccessful attempt by AT&T and WorldCom to revive a dead issue. The experiences of New Access and HP demonstrate that the design of the pre-order fields on Qwest’s CSR do not prevent CLECs from achieving successful integration.

⁹⁰ AT&T Comments at 59.

⁹¹ AT&T Comments and Finnegan/Connolly/Wilson Decl. at ¶ 47.

⁹² *Id.*

⁹³ See AT&T Qwest II Comments and Finnegan/Connolly/Menezes Decl. at ¶¶ 136-138.

⁹⁴ See Qwest II DOJ Evaluation at 11.

2. Return of Parsed CSRs

61. WorldCom asserts that despite Qwest's claim that it returns CSRs in parsed format that allows CLECs to integrate pre-ordering and ordering information, Qwest does not return information required on more complex orders in parsed form.⁹⁵ Therefore, WorldCom argues, even if some CLECs have integrated some pre-ordering and ordering information for simple orders, it is doubtful that they have done so for more complex orders.⁹⁶ Specifically, the information that WorldCom claims Qwest does not provide in parsed format includes hunting information, directory-type information, end user name, PIC information, DID information, yellow page heading information or pulsing, signaling or channel information.⁹⁷

62. The hunting, PIC, DID, pulsing, signaling and channel information is contained within particular USOCs or FIDs that appear on the CSR and can be readily extracted and populated on the LSR.⁹⁸ CLECs can easily obtain the information for each of these items by finding a specific USOC or FID.⁹⁹ Although it is not clear what WorldCom categorizes as "directory-type" information, directory listings information such as listed name and address appear on the CSR

⁹⁵ WorldCom Comments at 6 and Lichtenberg Decl. at ¶ 14.

⁹⁶ *Id.*

⁹⁷ *Id.*

⁹⁸ WorldCom also cites the lack of parsed yellow page heading information. *Id.* Yellow page headings do not appear on Qwest's CSRs.

⁹⁹ For example, PIC information always follows the FID "/PIC."

in parsed format while all other directory listings information can be found easily by finding specific FIDs.¹⁰⁰ Therefore, WorldCom's speculation that CLECs are not able to integrate complex orders because certain information is not provided in parsed format is belied by the ease with which CLECs can access this information on the CSR.

C. Migrate as Specified and Migrate by Name and TN

63. WorldCom claims that it had negative experiences during the pre-ordering and ordering stages due to the sheer complexity of Qwest's OSS.¹⁰¹ According to WorldCom, these problems could have been minimized if only Qwest modified its "Conversion as Specified" processes for migrating end users and permitted conversions using only a customer name or telephone number ("Migration by TN").¹⁰²

¹⁰⁰ See Section I(D) of this Declaration for more information regarding Qwest's provision of directory listings information.

¹⁰¹ WorldCom further claims that its difficulties extend to its use of feature identifiers ("FIDS"), and that feature validation issues cause 15.5% of the rejects WorldCom experiences in Qwest's region. See WorldCom Lichtenberg Decl. at ¶ 10. First of all, WorldCom provides no support for its 15.5% figure. Regardless, the core of WorldCom's complaint with regard to FIDs is the same as its others – that WorldCom would prefer that a modified "Conversion as Specified" feature be implemented. Distinguishing between features, including feature details, that are new (activity N), existing features that should be converted in tact (activity V), and existing features that are changing (activities C and T) currently is required on the LSR in order for the CLEC to accurately communicate desired outcome of the conversion request. This process will remain in place until the CR for "Conversion as Specified" is implemented. Following the implementation of this CR, the CLEC will not be required to make this distinction.

¹⁰² See WorldCom Comments at 9. AT&T makes a similar claim, stating that Qwest's OSS could be rendered less complex by the incorporation of "Migration by

64. It is worth noting at the outset that CLECs regularly manage to navigate the pre-ordering and ordering phases of Qwest's OSS without the "Conversion as Specified" and "Migration by TN" features that WorldCom seems to think are critical. Nevertheless, Qwest has been – and continues to be – open to the implementation of these features, provided the appropriate processes are followed to preserve fairness and efficiency for all parties.

65. As explained in the ROC-R Addendum, WorldCom's (and Z-Tel's) requests for "Conversion as Specified" and "Migration by TN" were appropriately considered and prioritized by the entire CLEC community when they were submitted through the Change Management Process on June 7 and 13, 2002, respectively. The deadline for submitting Change Requests for IMA version 11.0 was January 21, 2002. WorldCom waited until the last possible moment – almost five months after the standard deadline – to initiate its requests and then failed to raise them as possible "late adders" for IMA version 11.0, even though the window for doing so did not close until the CMP meeting held on June 20, 2002. As a result, these features were prioritized and slated for inclusion in IMA version 12.0, which is scheduled for release in April 2003.¹⁰³ Subsequently, WorldCom tried to accelerate the deployment of these features in an earlier release through the Exception Request process. But WorldCom was unable to obtain the requisite

TN" and "Migration as Specified" features. *See* AT&T Comments at 59-60 and Finnegan/Connolly/Wilson Decl. at ¶¶ 45, 48, 50-52.

¹⁰³ *See* Qwest III Addendum, Tab 2, at 1-2.

consent of the entire CLEC community to do so, and, as a result, the April 2003 deployment date remains unchanged. ¹⁰⁴

66. Having failed to convince its peers through ordinary channels that “Conversion as Specified” and “Migration by TN” are critical, WorldCom now seeks to circumvent the Change Management Process by characterizing these features as a regulatory necessity. But WorldCom’s preferences were appropriately considered through a documented, defined and adhered to Change Management Process.

67. WorldCom tries to blame Qwest for its failed Exception Request by claiming that Qwest manipulated the process and somehow “forced” CLECs to reject its Exception Request by presenting it as an alternative to maintaining IMA release 10.0 after May 2003. ¹⁰⁵ That is absurd. Qwest cannot – and does not – control CLEC preferences and votes any more than WorldCom can.

68. WorldCom suggests that Qwest could have accommodated its request by agreeing to modify the “Conversion as Specified” process and implement “Migration by TN” on an earlier timetable. ¹⁰⁶ Specifically, WorldCom states that Qwest could have made these changes as part of IMA version 11.0, scheduled for release in November 2002, or as part of a maintenance (or “point” release) in

¹⁰⁴ See *id.* at 2-3.

¹⁰⁵ See WorldCom Comments at 10-11.

¹⁰⁶ See WorldCom Comments at 11 and Lichtenberg Decl. at ¶¶ 19, 21.

January 2003.¹⁰⁷ But these requests are not the “simple changes” WorldCom suggests.¹⁰⁸

69. WorldCom’s CRs could not be implemented in IMA version 11.0 because Qwest is not permitted to exercise its sole discretion in determining which CRs get implemented. As explained above, a comprehensive Change Management Process is in place to ensure that the preferences of the entire CLEC community is taken into account when changes are made to Qwest’s OSS. WorldCom is fully aware of this. For WorldCom to claim that Qwest could simply implement WorldCom’s CRs independently is disingenuous, at best. Moreover, WorldCom did not initiate the “late adder” process, which would have prompted consideration of the inclusion of its CRs in IMA version 11.0.

70. Whenever IMA changes affect how CLECs conduct business with Qwest, the CMP calls for those changes to be disclosed in advance, which is the process for a full – or “major” – release. “Point” releases are typically internal Qwest changes that do not require a disclosure.¹⁰⁹ The changes requested by WorldCom could not be candidates for a “point” release because they change the way CLECs conduct business with Qwest and change the requirements associated

¹⁰⁷ See *id.*

¹⁰⁸ See WorldCom Comments at 9.

¹⁰⁹ In limited circumstances, Qwest discloses changes for a full release and then postpones implementation to the subsequent “point” release of those changes due to the size or complexity of the implementation. The disclosure for the major release is done with the understanding that the CLEC will make all needed coding changes at that time (*i.e.*, prior to the “point” release).

with several CLEC-populated fields. Thus, they would need to be incorporated into a major release.

71. Qwest offered to convert the January “point” release into a CLEC-affecting major release when it met with WorldCom on September 11, 2002, to provide additional information on its Exception Request. Qwest noted at that meeting that January was the earliest date it could make changes of this magnitude following the release of IMA version 11.0 in November. Qwest also pointed out that, if it accommodated WorldCom’s request, the January release would lack advance deployment in SATE.¹¹⁰ Adding a major release in January would have caused IMA version 10.0 to be retired earlier than planned because Qwest can maintain simultaneously only three versions of EDI software. WorldCom expressly declined to modify its Exception Requests to consider these alternatives.¹¹¹

72. Implementing WorldCom’s requested changes will be extremely complex. The specificity provided by CLECs on their LSRs today are validated by the IMA BPL and therefore must be completely consistent with the underlying service record. This up-front validation process allows Qwest to develop its flow-through capabilities without having to interpret the CLEC’s request against the CSR. Qwest’s FTS creates service orders based on the actions and entries contained on the LSR, relying on the up-front edit process to ensure, for example, that when a

¹¹⁰ As an alternative, Qwest offered to deploy the change in SATE in January, followed by release into production the following month.

¹¹¹ See Reply Exhibit LN-6 (Minutes of September 11, 2002 Meeting with WorldCom).

CLEC requests to add a new feature that order is formatted to show an “add” and not the retention of an existing feature. While Qwest is willing to eliminate the CLEC requirement to make these distinctions, the internal service order that must be generated to process CLEC requests must continue to make these distinctions to ensure accurate provisioning. Specifically, the FTS will have to be re-developed so that it no longer relies on LSR entries alone but, rather, retrieves CSRs and compares those CSRs to LSRs in order to determine the appropriate action codes and formatting to include on the internal service order. This is the case because, unlike other BOCs, Qwest’s OSS can write a single “change” order to accomplish most conversions to UNE-P service. ¹¹²

73. As a last resort, WorldCom now argues that Qwest could have accommodated WorldCom’s wishes by implementing a modified “Conversion as Specified” process and “Migration by TN” feature through a major release in January 2003 while “temporarily maintain[ing] one additional version of EDI” (IMA version 10.0) for a specified period. ¹¹³ As noted above, Qwest already maintains three versions of IMA simultaneously, which is more than any other RBOC. Accommodating WorldCom would have added a fourth. This would have placed a

¹¹² It is Qwest’s understanding that other BOCs must write two service orders to account for their billing of UNE-P out of CABS. The use of a new connect and disconnect eliminates the need to distinguish because all lines and features are reflected as “new” on the CABS new connect.

¹¹³ See *id.* at 11.

severe burden on Qwest's resources and amounted to discriminatory treatment in favor of WorldCom.

74. The urgency with which WorldCom has characterized its need for "Conversion as Specified" and "Migration by TN" since June has come as somewhat of a surprise to Qwest. WorldCom was an active participant in the Third Party Test, and, by implication, played a prominent role in the overall design of Qwest's OSS. WorldCom participated in two full years of OSS testing, was an active party during the re-design of Qwest's Change Management Process, and played a key role in numerous workshops on both UNE-P and OSS. Throughout this time, WorldCom never once expressed a desire for a modified "Conversion as Specified" process or "Migration by TN" feature. WorldCom states vaguely that it waited until June to submit its Change Requests because it began to consider entering the local market seriously this year and only then did it "[begin] understanding the complexity of Qwest's systems." ¹¹⁴ Put simply, Qwest is not responsible for WorldCom's "late-in-the-game" decisions.

75. In short, WorldCom ignored certain options under the CMP (*e.g.*, the "late adder" process) and tried to take advantage of others (*e.g.*, the Exception Request process) to accelerate the implementation of its CRs. WorldCom's tactics failed in part because of the requirement that the needs of all CLECs be taken into account when modifying Qwest's OSS. Stripped to its core, WorldCom's argument really is about satisfying WorldCom's interests above all others. This is, in part,

what the documented and defined Change Management Process was designed to avoid.

D. Subsequent Orders

76. WorldCom contends that it is unacceptable that a CLEC must wait until Qwest has updated a CSR to reflect the CLEC's ownership of the account before placing a subsequent order to Qwest to change the features for a customer.

¹¹⁵ As Qwest has stated before, this simply is not true. ¹¹⁶ Qwest has a process that is clearly documented on its website for submitting subsequent requests before the CSR has been updated. ¹¹⁷ WorldCom states that this process does not work well for orders placed in EDI because it requires Qwest to move into a manual mode. ¹¹⁸ But WorldCom provides no evidence that there is an excessive number of customers that call soon after an account is converted requesting a change. Even if there were a high number of such changes, it is immaterial whether the LSRs are submitted through EDI or GUI, so WorldCom's focus on EDI does not make sense to Qwest. Furthermore, Qwest's Retail personnel (like Wholesale) must use manual procedures in the limited situations in which a Retail customer requests a change before the CSR has posted. Thus, the process available to WorldCom and other CLECs in the Wholesale context is no different than the one employed by Qwest.

¹¹⁴ See WorldCom Comments and Lichtenberg Decl. at ¶ 15.

¹¹⁵ WorldCom Comments at 7.

¹¹⁶ Qwest II OSS Reply Declaration at ¶ 231.

¹¹⁷ See www.qwest.com/wholesale/ima/gui/faq.html.

¹¹⁸ WorldCom Comments and Lichtenberg Declaration at ¶ 25.

77. WorldCom claims that Qwest does not update CSRs for around five days.¹¹⁹ Qwest updates the vast majority of CSRs within a three to five day interval.¹²⁰ This interval is the same for both Wholesale and Retail accounts, because both organizations use the same Qwest systems to complete service orders, manage customer account information, and update CSRs. The standard with respect to CSR updates is not how Qwest compares to other RBOCs but rather, how Qwest Wholesale compares to Qwest Retail. Thus, once again, no discrimination occurs as a result Qwest's behavior.

E. Manual Processing

78. Qwest filed a considerable volume of data in the Qwest I and Qwest II proceedings demonstrating that the errors it makes when manually processing orders is minimal and does not affect the ability of CLECs to complete in the marketplace for local service.¹²¹ The Department of Justice apparently agrees, as it recently found that "Qwest's data suggest that its current service order

¹¹⁹ WorldCom Comments and Lichtenberg Declaration at ¶ 26.

¹²⁰ Qwest II OSS Reply Declaration at ¶ 231; *Final Report* at 191 (Test Criteria 14-1-13).

¹²¹ See, e.g., Qwest I 07/10/02 *Ex Parte* (Notice of Meeting with DOJ on Bill Auditability, DUF Test History, Manual Service Order Accuracy, FOCs Followed by Jeopardy Notices and Loop Qualification), Tab 5 at 16-17; Qwest I and II 08/08/02a *Ex Parte* (Response to WCB on Manual Service Order Accuracy, Due Date Changes, Disconnects, Flow-Through and FOCs and SOC); Qwest I and II 08/23/02c *Ex Parte* (Response to DOJ on PO-20); Qwest I and II 08/20/02a *Ex Parte* (Response to DOJ on LSR/SO Mismatches Compared to Manual Service Order Accuracy).

accuracy performance is consistent with that of other BOCs whose Section 271 applications have been approved.” ¹²²

79. Although Qwest’s performance is sufficient, Qwest nevertheless has developed new PIDs to monitor and report its ability to process orders both manually and electronically. These new PIDs – PO-20 and “Service Order Accuracy – via Call Center Data (formerly known as “OP-5++”) – were discussed at length in the Qwest I and Qwest II proceedings, and, most recently, in the Addendum to Qwest’s Application. ¹²³ CLEC concerns regarding these PIDs are addressed fully in the Declaration of Michael G. Williams, Performance Measures. ¹²⁴

80. Despite Qwest’s strong overall performance, CLECs persist in pointing out the few instances in which Qwest may have committed an error when manually processing an order. Eschelon, for example, cites a partial conversion order that was not processed correctly, causing its end user customer to experience a service disruption. ¹²⁵ Qwest recognizes that it may, on occasion, commit errors when manually processing orders. These errors affect Qwest end-users as much as CLEC end users and are universally undesirable. But these few instances of error are not systemic. In fact, Qwest overall region-wide manual service order accuracy for Resale and UNE-P orders improved to 96.88% in September, and its

¹²² See DoJ Comments at 6.

¹²³ See Qwest ROC-R Addendum at Tab 1.

¹²⁴ See Performance Measures Declaration at Section I(B).

¹²⁵ See Eschelon Comments at 20.

performance for Unbundled Loops has consistently been at or around 95% since June.¹²⁶ Qwest's overall region-wide service order accuracy under the new "Service Order Accuracy – via Call Center Data" PID has been even stronger, with Qwest posting results in excess of 99% since July.¹²⁷ In short, Qwest's manual and overall service order accuracy has improved considerably in recent months, and there is no reason the few instances of errors cited by CLECs should preclude a finding of compliance by this Commission.

F. Other Ordering Issues

81. The CLECs make a variety of other claims regarding Qwest's Ordering processes, none of which affect an overall finding of compliance with Section 271. Nevertheless, Qwest responds to them below to ensure that the record in this proceeding is accurate and complete. Qwest also responds here to Ordering-related questions raised by Commission staff in recent weeks.

1. Gateway Availability Outages in August

82. Qwest missed the benchmarks for GA-1A (IMA-GUI Gateway Availability) and GA-2 (IMA-EDI Gateway Availability) in August. The cause for these misses was an outage on August 12 that affected both gateways. The outage was caused by a CLEC that improperly advertised a network route to Qwest IP address space which detoured traffic from the Internet through the CLEC rather

¹²⁶ See Qwest Regional Commercial Performance Results at 77, available at www.qwest.com/wholesale/downloads/2002/021021/RG_271_Oct01-Sep02_Exhibit_Checklist-Final.pdf.

¹²⁷ See *id.* at 78.

than going directly to Qwest. A handful of Qwest's CLEC customers were known to have been affected but many large customers (*e.g.* AT&T, Covad) were not affected at all. Although the IMA-GUI and IMA-EDI software was up-and-running, CLEC customers using the network router that was affected by the re-routing were unable to access the software.

83. This is the first time since November 2001 that Qwest missed either GA-1 or GA-2. Qwest has taken steps to ensure that this type of outage does not recur. Even though the outage was caused by an outside party, Qwest accepts responsibility for the August benchmark misses because there currently is no exclusion in the PID language for this type of event. Qwest hopes to negotiate an exclusion in future Long Term PID Administration meetings. In light of Qwest's otherwise strong performance under these PIDs and the reasons discussed above, the misses in August are *de minimis* and not representative of Qwest's capabilities.

2. Use of GUI Interface

84. Because of its "Migration as Specified" concerns with regard to EDI, AT&T contends that it has been "forced" to use Qwest's GUI interface to conduct pre-ordering and ordering transactions for UNE-P orders, even though the GUI interface is not integratable with AT&T's systems.¹²⁸ The GUI interface is intended to be a human-to-computer interface that a CLEC can use to obtain electronic access to Qwest's OSS without having to develop its own software.¹²⁹

¹²⁸ See AT&T Qwest III Comments at 60.

¹²⁹ See Qwest II OSS Decl. at 31.

The EDI interface is a computer-to-computer interface that allows CLECs electronic access directly from CLEC systems to Qwest's interfaces, thus enabling CLECs to integrate their own OSS with Qwest's OSS. ¹³⁰

85. Nobody is "forcing" AT&T to use the GUI and not EDI. KPMG evaluated both the EDI and GUI interfaces in the Third Party Test and found that they were satisfactory. Qwest demonstrated repeatedly in the Qwest I and Qwest II proceedings that numerous CLECs use its EDI to conduct pre-ordering and ordering transactions on an independent and integrated basis.

3. Inadequate Ordering Information in Idaho

86. WorldCom claims that Qwest has not delineated what the border is between Northern and Southern parts of Idaho and that Qwest merely pointed to state tariffs when asked. ¹³¹ While it is true that WorldCom asked about differentiating between Northern and Southern Idaho, Qwest understood the request to be for cities or NPA/NXXs, not for CLLI codes. Once WorldCom further identified the need for this information by CLLI code, Qwest was able to direct WorldCom to the LERG. The LERG clearly identifies the OCN of the host or owning company by switch CLLI. As WorldCom pointed out when it first asked its question, Qwest has different OCNs that identify Idaho North and Idaho South.

¹³⁰ *Id.* at 30.

¹³¹ *See* WorldCom Comments at 13 and Lichtenberg Decl. at ¶ 31.

4. Jeopardies After FOCs

87. WorldCom claims that Qwest is inappropriately issuing jeopardy notices after the issuance of an FOC.¹³² This is precisely the same claim made by WorldCom and responded to by Qwest in both the Qwest I and Qwest II proceedings.¹³³ WorldCom has not identified any new facts that merit a different response here. Nevertheless, Qwest responds to WorldCom's claims to ensure that the record is accurate and complete.

88. As Qwest has explained before, Qwest updated its business processes, updated its CLEC documentation and implemented a revised process adopting the use of a jeopardy notice following an FOC in order to communicate errors (and other conditions) to CLECs outside of the normal sequence of events. Qwest did this using the CMP forum and after several meetings where CLECs actively participated in the decision to use the Jeopardy Notice in these situations.

5. FOC Timeliness for Faxed LSRs

89. Generally, Qwest's performance under PO-5C-(a), which measures the time in which Qwest returns Firm Order Confirmations for Resale LSRs placed by facsimile, has been strong.¹³⁴ In fact, Qwest exceeded the

¹³² See WorldCom Comments at 13-14 and Lichtenberg Decl. at ¶ 34-35.

¹³³ See Qwest I OSS Reply Decl. at ¶¶ 127-28 and Qwest II OSS Reply Decl. at ¶ 181-190.

¹³⁴ See generally Colorado Commercial Performance Results at 60; Iowa Commercial Performance Results at 37; Montana Commercial Performance Results at 53; Nebraska Commercial Performance Results at 59; North Dakota Commercial Performance Results at 52; Wyoming Commercial Performance Results at 35 (PO-5C-(a)).

benchmark in each of the nine Application states in September.¹³⁵ Qwest missed the 90% benchmark for PO-5C-(a) in August in Idaho, Utah and Washington. But, Qwest's performance in Idaho and Utah states should be discounted in light of the low volume of Resale LSRs submitted manually in those states in August. In Idaho, only 26 Resale LSRs were faxed in August;¹³⁶ in Utah, only 17 LSRs were faxed.¹³⁷ When volumes are at such small levels, the impact of each individual miss is magnified. Qwest missed the benchmark for only four LSRs in Idaho and only two in Utah.¹³⁸ Clearly, these misses were *de minimis* in context and should not affect a finding that, overall, Qwest is capable of issuing FOCs to CLECs on a timely basis.

90. In Washington, the volume of faxed Resale LSRs in August was 103.¹³⁹ Qwest issued timely FOCs for 92 of these LSRs.¹⁴⁰ Had Qwest issued just one more FOC on time in August, it would have met the 90% benchmark. Notably, Qwest investigated the misses that occurred in August and used them to improve its process compliance. In this instance, compliance with the FOC intervals was stressed in the centers, and the September results show no misses for PO-5C-(a) in any of the nine states included in this filing.

¹³⁵ See *id.* Qwest's commercial performance results through September 2002 are available at www.qwest.com/wholesale/results/checklist.html.

¹³⁶ See Idaho Commercial Performance Results at 57 (PO-5C-(a)).

¹³⁷ See Utah Commercial Performance Results at 59 (PO-5C-(a)).

¹³⁸ The benchmarks were missed in these states on other occasions by similar margins. See Idaho Commercial Performance Results at 57; Utah Commercial Performance Results at 59 (PO-5C-(a)).

¹³⁹ See Washington Commercial Performance Results at 60 (PO-5C-(a)).

6. Timely Jeopardy Notices

91. As explained in the Qwest I and Qwest II proceedings, Qwest installed on June 17, 2002, an enhanced IMA notification process which utilizes system-to-system capability to provide CLECs with automated jeopardy notifications for the following services: Non-Design, Unbundled Loops and UNE-P POTS.¹⁴¹ This enhancement stabilized, and thus improved, Qwest's ability to provide CLECs with timely jeopardy notices by introducing additional automation into the process.

92. Overall, Qwest's performance in its provision of timely jeopardy notices under PID PO-8 has been strong.¹⁴² This is true despite some of the issues inherent in the design of the PID. In the nine Application states, Qwest missed the relevant benchmark only ten times out of 288 opportunities (9 states * 8 months * 4 sub-measures) in January through August 2002 for a met percentage of 96.53%.

7. Flow-Through

93. Qwest has consistently met the flow-through benchmarks under PO-2B on a regional basis over the past nine months and has steadily improved the rate of LSRs that it flows through to the SOP on a state-specific basis during the same period. On a regional basis, Qwest has met, with minor exception, the benchmark for PO-2B-1 and PO-2B-2 for each of the products measured under PO-2

¹⁴⁰ See *id.*

¹⁴¹ See Qwest I OSS Reply Decl. at ¶ 131 and Qwest II OSS Reply Decl. at ¶ 187.

¹⁴² See Qwest I OSS Decl. at ¶¶ 260-300, Qwest I OSS Reply Decl. at ¶¶ 13-16, Qwest II OSS Decl. at ¶¶ 248-281, Qwest II OSS Reply Decl. at ¶¶ 20-21.

in each of the past nine months.¹⁴³ Qwest missed the PIDs on four occasions over this nine-month period, but those misses occurred only in the first month in which the benchmarks were raised this past July.¹⁴⁴ Nevertheless, despite the upward adjustment in the benchmarks, Qwest's flow-through rates have continued to improve steadily since that time.¹⁴⁵

94. With each successive release of IMA, Qwest has implemented improvements that address specific problems that prevent LSRs from flowing through. However, because Qwest's flow-through rates are already strong,¹⁴⁶ most of these improvements have resulted in relatively small – though meaningful – increases in flow-through rates. Qwest continues to analyze LSRs that fail to flow-through and submit proposed improvements to the CMP. But Qwest's ability to address situations in which CLECs are making a common mistake in the submission of LSRs is limited by the CMP framework that controls the process and speed with which changes to the ordering process are introduced. Therefore, while Qwest can identify the flow-through problem to CLECs, Qwest is limited in its

¹⁴³ See Regional Commercial Performance Results at 53-56 (PO-2B-1, PO-2B-2).

¹⁴⁴ Qwest missed the upwardly adjusted benchmark for PO-2B-1 in July by a mere 0.13% of 22,494 LSRs submitted. *See id.* at 53 (PO-2B-1). Qwest missed the upwardly adjusted PO-2B-1 benchmark for UNE-P LSRs in July and August, 2002, by less than five percent and one percent, respectively. *See id.* at 56 (PO-2B-1). Qwest missed the upwardly adjusted PO-2B-2 benchmark for UNE-P LSRs in July 2002 by less than one percent. *See id.* at 56 (PO-2B-2).

¹⁴⁵ See Regional Commercial Performance Results at 53-56 (PO-2B-1, PO-2B-2).

¹⁴⁶ *See id.* When order volumes have been significant, Qwest's flow-through rates over the past twelve months generally have been between 85% and 95%, depending upon the product.

ability to do anything other than process the LSRs manually if the issue is not documented in an existing business rule.

95. As is the case with other BOCs, Qwest's inability to meet the flow-through benchmark on occasion is not solely within Qwest's control. The Commission has held that "a BOC is not accountable for orders that fail to flow-through due to [CLEC]-caused error."¹⁴⁷ Qwest has demonstrated in its previous Section 271 filings that some flow-through failures are CLEC-caused by identifying CLECs that have achieved above-benchmark UNE-P and Resale flow-through rates with meaningful LSR volumes for almost every state.¹⁴⁸ Clearly, Qwest has proffered enough evidence in this proceeding to support a finding of compliance in this area.

8. Flow-Through Service Order Creation Errors

96. Eschelon provided four examples of flow-through issues that it claims preclude it from competing effectively in the local market.¹⁴⁹ None of these examples are evidence of systemic flow through problems.

97. In two of the cases, there was an error on the existing Retail CSR, which caused the service order error. The existing CSR did not properly reflect the hunting functionality that was present on the retail account at the

¹⁴⁷ See *Georgia/Louisiana 271 Order* at ¶ 145.

¹⁴⁸ See Qwest I OSS Reply Decl. at ¶¶ 110-112 and Qwest II OSS Reply Decl. at ¶¶ 143-163.

¹⁴⁹ Eschelon Comments at 30-34.

individual line-level. The LSR was written to indicate that the existing hunting design should be converted. When an LSR requests hunting conversion, the flow-through system, FTS, uses the CSR as its source. Because the CSR was incorrect, the resulting service order was incorrect. The error was not in the FTS code.

Eschelon was aware that the CSR was incorrect as evidenced by its attempt to correct the underlying CSR problem through entries in another section of the LSR. Since the hunting section of the LSR controls, the Eschelon attempt was not successful. Eschelon could have marked the LSR for manual handling or reported the existing CSR error to Qwest through the ISC Call Center in order to ensure the records were corrected..

98. The third LSR, in addition to having the underlying CSR problem, was to convert an account that already had Directory Assistance Call Completion blocking (FID BLKD) so that the BLKD would be eliminated and replaced with 3 other types of call blocking (no collect or 3rd number billed calls, no 900 calling and no 976 calling). The construct of the LSR fields for communicating these changes currently only support a single Blocking Activity (BA) per line. This means that on a single LSR, the CLEC cannot request blocking options be added and at the same time request other blocking options to be deleted. Scenarios like this would require further explanation in the REMARKS field and for the manual handling indicator to be set.

99. The fourth LSR is adding 2 lines to the existing hunt group on the account. Eschelon entered a period (.) at the end of the hunt sequence (HTSEQ),

which is not valid. The period caused the rules in FTS to not recognize the last number in the sequence. Qwest has initiated an FTS change to eliminate the period from causing this problem and will include clarification in the CLEC documentation, in conjunction with the introduction of IMA 11.0 next month, to clarify the HTSEQ valid entries and data characteristics.

100. In general, any errors on flow-through orders would be captured in the Order Accuracy via Call Center Data that Qwest began reporting with July results in August. The new measurement quantifies problems reported that were due to inconsistencies between the LSR and the associated service orders. It can be found following PO-20 in the published results, and is discussed more fully in the Performance Measures Declaration.

III. PROVISIONING

A. Reporting Service Affecting Troubles During the First 72 Hours

101. Eschelon claims that Qwest's process for reporting service affecting troubles during the first 72 hours is not clear.¹⁵⁰ Specifically, Eschelon claims that Qwest's process is not the one asserted by Qwest in the Qwest III Addendum, but rather is described accurately in Qwest's response to a CR.¹⁵¹ Qwest's process within the first 72 hours of the due date does in fact work as described in Qwest's Addendum.

102. Qwest's process for handling trouble tickets within the first 72 hours of the due date is to perform a "warm transfer" from the ISC Call Center or the Customer Service Inquires and Education ("CSIE") to the repair center. A ticket that is received during the first 72 hours after the due date is not passed from the ISC Call Center to the repair center until the service order has been completely validated against the LSR and it is confirmed that the underlying issue should not be resolved via a service order. At that point only, the ISC Call Center performs a "warm transfer" to the repair center. This is precisely the process that Qwest described in its Addendum.

103. Eschelon claims that Qwest's policy is not as described above, on the Wholesale Website, or in the Qwest III Addendum, but rather is more correctly

¹⁵⁰ See Eschelon Qwest III Comments at 7-13.

¹⁵¹ See *id.* at 10; see also Qwest III Addendum at 15-16.

explained in Qwest's response to a CR. The CR that Eschelon is referring to was opened in November 2001 to address an issue where an escalation ticket had been opened with the ISC Call Center and then referred to the repair center through a "cold transfer" rather than through the "warm transfer" process.¹⁵² With a warm transfer, the ISC Call Center stays on the line and does not close its escalation ticket until the repair center has accepted responsibility for the issue. In the particular ticket that led to the CR, the ISC inappropriately performed a "cold transfer," resulting in a ticket being passed to the repair center that needed to be addressed through a service order correction and therefore was subsequently returned to the CSIE. Qwest's response to that single trouble ticket – received nearly one year ago – represents an anomaly and is not indicative of Qwest's policy for handling trouble tickets received during the first 72 hours after the due date.

104. Warm transfers to the repair center are indeed captured in OP-5. Further discussion of OP-5 can be found in the Performance Measures Reply Declaration.

B. Fake SOC's and Completion Notices

105. The transmission of an FOC to a CLEC indicates that Qwest has initiated the process of provisioning the order. Once the service order(s) associated with the LSR have completed in the SOP, Qwest issues an LSR-level completion

¹⁵² Reply Exhibit CLD-7 (CR PC120301-5).

notice to the CLEC. This completion notice is commonly referred to as a Service Order Completion (“SOC”).

106. WorldCom contends for both line sharing and UNE-P that Qwest “returns completion notices at the end of the day regardless of whether the orders have actually been completed.” ¹⁵³ Qwest will discuss the issuance of SOC’s for each product individually. ¹⁵⁴ As described in Qwest’s initial filing, the issuance of SOC’s for Line Sharing orders was an issue that Qwest addressed with a process modification that ensured that the “N” order for billing and the “C” order for the actual Line Sharing remained in sync even if the C order encountered a jeopardy situation. ¹⁵⁵ Line Sharing orders are unique in that the N and C orders are written against different accounts. The process improvements for the issuance of SOC’s for Line Sharing LSRs have addressed CLEC concerns.

107. For UNE-P LSRs, WorldCom’s comments oversimplify and over-generalize what actually occurs. Service orders are not simply completed because the due date has arrived. Instead, a multitude of checks occur before the service order is completed, including a check to ensure that the order has not been coded as being in jeopardy. Qwest has found that, in limited situations, Qwest may complete a service order even though the order is in a jeopardy status. WorldCom correctly

¹⁵³ WorldCom Comments at 15 and Lichtenberg Decl. at ¶¶ 37-40.

¹⁵⁴ The Reply Declaration of Karen A. Stewart, Line Sharing, provides further detail on this issue as it relates to line sharing. See Line Sharing Reply Declaration at ¶¶ 3-4.

notes that Qwest has been researching the magnitude of this issue. Preliminary research indicates that this issue impacts less than 0.73% of the service orders processed for both Retail and Wholesale. As a result of this investigation, Qwest has already contracted with Telcordia to expand the jeopardy code set available for Central Office work. The target date for implementation of this solution is first quarter 2003.

108. WorldCom also expresses concerns regarding double billing and repair issues that may stem from “fake” SOCS.¹⁵⁶ These situations do not occur because when the service order is completed, Qwest’s billing and repair systems are also updated to reflect any change in account ownership.

109. It is clear from the above that Qwest provides CLECs with accurate and timely SOC. As noted above, Qwest has made process modifications to ensure that CLEC concerns regarding SOC for Line Sharing orders have been addressed. For UNE-P orders, preliminary research indicates that this issue impacts a very small percentage of the total service orders processed for both Retail and Wholesale. Despite this minimal impact on orders, Qwest continues to work to improve the issuance of SOC for UNE-P orders.

¹⁵⁵ See Qwest I Reply Decl. on Line Sharing at ¶¶ 30-38; Qwest II Reply Decl. on Line Sharing at ¶¶ 35-43.

¹⁵⁶ See WorldCom Comments at 15 and Lichtenberg Decl. at ¶ 40.

IV. MAINTENANCE & REPAIR

A. Reporting and Coding of Reported Trouble

110. Eschelon claims that Qwest closes design trouble tickets with the incorrect cause and disposition code.¹⁵⁷ We note at the outset that Eschelon's claims are separate from earlier allegations regarding Qwest's ability to accurately code *non-design* trouble tickets. That claim, along with E3055, was addressed in Qwest's initial Applications in the Qwest I and Qwest II proceedings and need not be repeated here.¹⁵⁸ Eschelon's current claim relates to *design services*, which are generally more complex than non-design services.¹⁵⁹

111. As an initial matter, Qwest's data supports the conclusion that Qwest accurately codes design services trouble tickets. For example, during the week of September 9, 2002, Qwest achieved 97% coding accuracy for total design troubles reported by Eschelon.¹⁶⁰ Similarly, during the week of September 23, 2002, Qwest achieved 99% coding accuracy for total design troubles reported by

¹⁵⁷ See Eschelon Qwest III Comments at 40.

¹⁵⁸ See Qwest I OSS Decl. at ¶¶ 471-475, Qwest II OSS Decl. at ¶¶ 453-457.

¹⁵⁹ Qwest provided the Commission with a discussion of the differences between design and non-design services in a Qwest I and II ex parte. See Qwest I and II Ex Parte 08/16/02b (Response to Wireline Competition Bureau on Definition of Design & Non-Design).

¹⁶⁰ See Reply Exhibit LN-8 (Qwest Research Regarding No Trouble Found Coding for Eschelon Design Trouble Tickets – Week of September 9, 2002). Qwest based these percentages on the total Eschelon designed services repair tickets identified in Qwest's database for the respective weeks summarized.

Eschelon.¹⁶¹ Further, and contrary to Eschelon's findings, Qwest's research indicates that for the week of September 9, 2002, 88% of the No Trouble Found ("NTF") tickets submitted by Eschelon, in fact contained correct disposition and cause codes.¹⁶² Similarly, for the week of September 23, 2002, 97% of the NTF tickets submitted by Eschelon contained correct disposition and cause codes.¹⁶³ Qwest's analysis therefore demonstrates that Eschelon is exaggerating the issue of incorrect coding of design services tickets.

112. The differences between Qwest's data and Eschelon's data for NTF tickets can be easily explained.¹⁶⁴ First, in 22 instances, the CLEC requested a dispatch despite the fact that trouble had been isolated to the Central Office, test results identified no trouble found in the Qwest network, or Qwest had already uncovered and resolved the trouble prior to the CLEC initiating the trouble request.

¹⁶¹ See Reply Exhibit LN-9 (Qwest Research Regarding No Trouble Found Coding for Eschelon Design Trouble Tickets – Week of September 23, 2002).

¹⁶² See Reply Exhibit LN-8 (Qwest Research Regarding No Trouble Found Coding for Eschelon Design Trouble Tickets – Week of September 9, 2002).

¹⁶³ See Reply Exhibit LN-9 (Qwest Research Regarding No Trouble Found Coding for Eschelon Design Trouble Tickets – Week of September 23, 2002).

¹⁶⁴ It is interesting to note that Eschelon attached to its Comments, as Exhibit 36, a document that Qwest previously provided to Eschelon in an effort to work collaboratively with Eschelon to reduce the number of NTF results. See Eschelon Comments at Exhibit 36. Qwest provided this document to Eschelon because it had originally identified, through root cause analysis, a relatively high number of NTFs in the trouble reports Qwest was receiving from Eschelon. Reply Exhibits LN-8 and LN-9 contain detailed analysis conducted by Qwest on each of the disputed tickets identified by Eschelon in its Exhibit 36.

In two other instances, Eschelon initiated a trouble report but provided an incorrect circuit identifier resulting in no trouble found on the reported circuit.

113. During the Third Party Test, KPMG affirmed Qwest's ability to accurately handle design trouble tickets. Specifically, KPMG concluded in evaluation criterion 18-6-2 that "close out codes for out of service and service affecting wholesale UNE-L troubles indicated in Qwest's systems, and that may or may not have required the dispatch of a technician, are consistent with the troubles placed on the line." ¹⁶⁵ In fact, Qwest accurately coded 100% of the design trouble tickets during the Third Party Test. ¹⁶⁶

114. Eschelon also claims that the inaccurate coding of NTFs would improperly inflate Qwest's performance results and deter root cause analysis. ¹⁶⁷ Qwest agrees that NTF tickets can distort true performance results and adversely affect root cause analysis such that correcting actions have little impact on performance improvement. Indeed, Qwest's objective to continually improve performance is the primary reason Qwest originally provided the data shown in Eschelon Exhibit 36. Qwest has and continues to work directly with Eschelon in an effort to improve repair performance. As an example, analysis of the data in Exhibit 36 indicates that Eschelon can minimize NTF dispositions by not insisting that Qwest dispatch out unnecessarily when test results do not warrant such

¹⁶⁵ See KPMG Final Report at 354 (Evaluation criteria 18-6-2).

¹⁶⁶ See *id.*

¹⁶⁷ See Eschelon Qwest III Comments at 41.

dispatches. The above facts demonstrate that Qwest accurately codes design service trouble reports at an acceptable level. Any dispute Eschelon may have regarding the billing of M&R charges is handled through the billing dispute process that has been published to all CLECs.

B. Repair Invoicing

115. Eschelon alleges that Qwest should have processes in place to provide accurate coding of design issues, provide CLECs with up front notice of M&R charges, and to allow CLECs an opportunity to verify and dispute the charges. ¹⁶⁸ As discussed above in Section IV(A) of this Declaration, Qwest's existing process ensures accurate coding of design trouble tickets. These are, once again, the same issues that Eschelon raised – and Qwest responded to – in the Qwest I and Qwest II proceedings. ¹⁶⁹

116. As stated in its earlier Reply Comments, Qwest provides CLECs with up front notice of maintenance charges. ¹⁷⁰ For design trouble reports, Qwest's processes allow for manual notification by the technician and for electronic notification of charges to be sent via email when the trouble is cleared for tickets submitted through CEMR. The CLEC has 24 hours to respond before the ticket is closed.

¹⁶⁸ See *id.*

¹⁶⁹ See Qwest I OSS Reply Decl. at ¶¶ 162-167; Qwest II OSS Reply Decl. at ¶¶ 258-263.

¹⁷⁰ See Qwest I OSS Reply Decl. at ¶¶ 162-166; Qwest II OSS Reply Decl. at ¶¶ 258-262.

117. For manually reported trouble, Qwest's process states that the technician closing the ticket is to advise the customer of charges that would be applied. If the technician does not offer this information, the customer may request it. For electronically submitted trouble reports, the e-mail notification contains information indicating when Maintenance of Service Charges would be applied.

118. Qwest provided CLECs with further clarification of its process for closing design trouble tickets through Action Item AI091802-2. Eschelon agreed at the October 16, 2002, CMP meeting that this AI could be closed. The response has been published on the CMP website. ¹⁷¹

119. As stated in its earlier Reply Comments, Qwest does in fact provide CLECs with a dispute process for repair charges for non-design and design services.¹⁷² Other M&R billing issues, including the accuracy of BI-3, are addressed below, in the Section V(B)(2).

120. Eschelon further alleges that an average of 26% of its design M&R charges were billed inaccurately by Qwest during April and May 2002. ¹⁷³ It is unclear to Qwest how Eschelon calculated this percentage, but it appears that Eschelon has again used a limited universe or denominator. After researching Eschelon's claims of inaccurate billing, Qwest is able to make the following general assertions: Qwest initially notes that as part of the bill dispute process, Qwest

¹⁷¹ See www.qwest.com/wholesale/cmp/teammeetings.html.

¹⁷² See Qwest I OSS Reply Decl. at ¶¶ 162-166; Qwest II OSS Reply Decl. at ¶¶ 258-262.

performs research to determine if billing was appropriate based on documentation and root cause analysis on the specified repair tickets. Qwest's research demonstrates that Eschelon's M&R processes contain contradictory practices, such as authorizing an optional test and then providing Qwest with Eschelon's test results. Putting aside the validity of Eschelon's tests, it is evident that Eschelon understands that there is a charge for Qwest's optional testing – yet it still authorizes Qwest to perform this test even when it has already provided Eschelon's test results. Second, although Qwest feels it is appropriate to charge for optional testing when the service is on a pair gain system, Qwest discontinued this practice in July 2002.¹⁷⁴ The optional test charge is no longer applied when service is on a pair gain system. Therefore, issues that Eschelon experienced in April and May, 2002, regarding optional testing on pair gain are moot. Further, based on the total number of Eschelon's trouble reports closed in April and May, 2002, the percentage of M&R charges adjusted to Eschelon during this period would equate to 5.35%.¹⁷⁵

121. In summary, it is clear from the above evidence that Qwest is able to correctly bill CLEC for incurred M&R charges for design services.

¹⁷³ See Eschelon Qwest III Comments at 41-42.

¹⁷⁴ See Qwest II OSS Reply Decl. at ¶ 266.

¹⁷⁵ See Reply Exhibit LN-10 (Percent of Disputes Eligible for Refund, April and May 2002).

V. BILLING

122. CLECs commenting on Qwest's nine-state Application for Section 271 approval have not raised any new issues. Instead, they have rehashed stale arguments – ones that Qwest already has refuted. Nevertheless, to ensure that the record in this proceeding is complete, Qwest again responds to these CLEC comments by briefly summarizing its arguments in response.

A. Billing Accuracy

1. Wholesale Bill Accuracy

123. Both AT&T and Eschelon claim that Qwest's Wholesale bills are inaccurate.¹⁷⁶ But, as explained more fully below, these claims are belied by Qwest's commercial performance results and other evidence.

124. AT&T claims that various charges, such as DEX charges or 800 service-line charges, are erroneously included on its bills. But AT&T does not raise any billing issues that are systemic in nature. The types of billing disputes about which AT&T's complains are those that are bound to occur given the high volume of business between AT&T and Qwest. Indeed, the Commission has recognized that such disputes "are indicative of the type of disputes over bills that arise in the normal course of business"¹⁷⁷ and as such, are not fatal to an application for Section

¹⁷⁶ See AT&T Comments at 64 and Finnegan/Connolly/Wilson Decl. at ¶¶ 107-115; Eschelon Comments at 41-44.

¹⁷⁷ See *Alabama/Kentucky/Mississippi/North Carolina/South Carolina 271 Order* at ¶ 176.

271 authority. To the contrary, such disputes are typical of ordinary business-to-business relationships.

125. Most of AT&T's complaints already have been resolved – or are in the process of being fixed – by Qwest. For example, directory-advertising charges, which were an issue on earlier bills, were not present on either the September or October bills, and Qwest has implemented an interim measure to ensure that Internet, Directory Advertising, and Wireless charges do not appear on UNE-P bills. Qwest also is not including charges from other long-distance carriers on CLEC bills. The only situation in which AT&T may see a charge from another long-distance carrier on its bill is if the LPIC on a UNE-P account is Qwest – and Qwest would be correct in passing the charge to AT&T in this context. AT&T, therefore, is complaining about problems that do not exist.

126. Qwest's performance on PID BI-3A further disproves AT&T's contentions. In each of the nine Application states, Qwest has consistently maintained commercial performance percentage results in the high nineties.¹⁷⁸ In the few instances in which Qwest did not meet the parity standard, Qwest's strong

¹⁷⁸ See Commercial Performance Results at 81 (CO) (above 98.5% in all 12 months); 78 (ID) (above 99% in 11 out of the past 12 months); 58 (IA) (97.9% in 10 of the past 12 months); 73 (MT) (above 96% in 10 of the past 12 months); 79 (NE) (above 96% in nine of the past 12 months); 72 (ND) (above 97% in 10 of the past 12 months); 80 (UT) (above 96% in 11 of the past 12 months); 81 (WA) (above 96% in eight of the past 12 months); 54 (WY) above 97% in 11 of the past 12 months.

performance on a percentage basis sufficiently demonstrates that its bills are accurate.¹⁷⁹ In short, parity standard misses have not harmed CLECs.¹⁸⁰

127. Eschelon also claims that Qwest's Wholesale bills are inaccurate. But these are the same complaints Eschelon raised – and Qwest responded to – in the Qwest I and Qwest II proceedings.¹⁸¹ For example, Eschelon again complains about how UNE-E rates are calculated. Currently, Qwest bills Eschelon for Resale rates initially, and then performs a true-up on a monthly basis to arrive at the UNE-E rates.¹⁸² Eschelon is well aware that this was the billing solution that Qwest employed to bill this customized UNE platform. Its complaint on these grounds, therefore, is disingenuous.

128. Should Eschelon need to dispute a particular charge on its bills, Qwest's bill dispute process requires Qwest to investigate and resolve such billing disputes.¹⁸³ Eschelon may contact its SDC and submit, based on any billing format of its choosing, a minimal amount of information regarding the disputed charge to permit the SDC to begin an investigation.¹⁸⁴ Such information includes the CLEC

¹⁷⁹ See *Alabama/Kentucky/Mississippi/North Carolina/South Carolina 271 Order* at ¶ 174 (indicating that despite missing PIDs for various months, BellSouth's overall performance was excellent).

¹⁸⁰ See *id.*

¹⁸¹ Compare Eschelon Comments at 41-44 with Eschelon Qwest II Comments at 26-28.

¹⁸² See Qwest II Notarianni/Doherty Reply Decl. at ¶ 339.

¹⁸³ See Qwest I Notarianni/Doherty Reply Decl. at ¶¶ 217-222; Qwest II Notarianni/Doherty Reply Decl. at ¶¶ 314-320.

¹⁸⁴ See *id.*

name, e-mail address, contact name, Billing Account Number, and a brief description of the disputed charge.¹⁸⁵ Eschelon also may choose to use the billing dispute template to initiate such disputes.¹⁸⁶

129. After Qwest receives a billing dispute, it verifies the content of the dispute and sends an acknowledgment to the CLEC initiating the investigation.¹⁸⁷ After the investigation is complete, if a billing adjustment is required as part of the dispute resolution, the SDC will enter the adjustment into the billing system. Qwest always sends the CLEC notification of the dispute outcome in a resolution letter.¹⁸⁸ Notably, Qwest does not require CLECs to pay disputed charges during the pendency of the investigation.¹⁸⁹

130. Eschelon's argument that Qwest's commercial performance results do not capture alleged billing errors also is without merit. Each time Qwest makes a billing adjustment that comports with the reporting requirements, the adjustment is accounted for in BI-3A. So, to the extent Qwest makes adjustments on Eschelon's bills concerning inaccurate design maintenance and repair charges, the PID appropriately reflects the adjustment.

¹⁸⁵ See *id.*

¹⁸⁶ See *id.*

¹⁸⁷ See *id.*

¹⁸⁸ See *id.*

¹⁸⁹ See *id.*

2. Late or Double Billing

131. WorldCom expresses concern that because daily usage information is not sent until the CSR is updated, its customers may be billed late or double billed. This isn't true. When usage records are processed, Qwest determines whether the record is for an end-user belonging to Qwest or to a CLEC. Toll guides and other databases make this determination and also identify the specific CLEC to which the records belong.¹⁹⁰ Toll guides reside within CRIS and are created and updated when the CLEC orders products or services. To ensure that the DUF contains accurate information, Qwest implemented several automated processes during 2001 and early 2002 to ensure that toll guides are directing usage records to the appropriate CLEC. The most significant of these procedures includes examining pending orders, looking for cases where the end user has changed local service providers.¹⁹¹ In the event that a change has been made, the system holds the usage until the toll guides and databases have been updated to ensure the correct information is routed to the appropriate CLEC.¹⁹² This prevents the duplicate billing that WorldCom complains of from occurring. DUF information is provided to WorldCom on a daily basis. Therefore, any usage that occurred within the CSR update interval would typically be available to WorldCom within a similar interval, minimizing any late billing.

¹⁹⁰ See Billing – Daily Usage File (DUF) – V7.0, Implementation, *available at* www.qwest.com/wholesale/clecs/duf.html.

¹⁹¹ See *id.*

132. WorldCom also expresses concern that early SOC's could result in double billing. Billing is transferred at the point when the service order is completed (which also triggers the SOC) and posted in the billing system. As a result (and as noted in Section III(B) above), no double billing occurs.

B. Bill Auditability

1. Evidence of Wholesale Bill Auditability

133. AT&T claims that Qwest's bills are not capable of being audited because Qwest's bills are produced in three different billing regions.¹⁹³ All bills, however, contain equivalent audit-affecting information and a comparable level of detail, regardless of which billing region produces them.¹⁹⁴ In the Qwest I and Qwest II proceedings, Qwest described in detail precisely how its bills are auditable. Qwest outlined the process used to audit bills with commercially available computer software programs, provided CLEC testimony attesting to the auditability of Qwest bills, and offered a variety of outside vendors who could assist CLECs with their bill auditing needs.¹⁹⁵ Notably, the Department of Justice recently found that "CLECs' ability to audit their bills electronically is sufficient to support a positive

¹⁹² See Qwest I OSS Decl. at ¶ 518; Qwest II OSS Decl. at ¶ 501.

¹⁹³ See AT&T Comments at 62-63 and Finnegan/Connolly/Wilson Decl. at ¶¶ 78-79.

¹⁹⁴ See Qwest III Addendum at 3.

¹⁹⁵ See Qwest I OSS Reply Decl. at ¶¶ 207-214; Qwest II OSS Reply Decl. at ¶¶ 304-311.

assessment of Qwest's wholesale billing capabilities.”¹⁹⁶ The evidence clearly supports a finding of compliance in this area.

2. BOS Bill Accuracy and Auditability

134. AT&T continues to disparage Qwest's BOS offering.¹⁹⁷ Qwest has been working diligently to improve upon its BOS offering, and despite some remaining discrepancies, the BOS bill is on track to providing CLECs with accurate and auditable information on a regular basis. Qwest has already described in detail its efforts to improve its BOS offering.¹⁹⁸ In fact, AT&T criticizes the BOS offering for concerns that Qwest already indicated were being corrected.¹⁹⁹ For example, AT&T complains that recurring charges did not match the data contained in the CSRs. But Qwest already described this issue in an earlier *ex parte* submission and currently is investigating a long-term mechanized fix to remedy this problem.²⁰⁰ Qwest's Differences List informs CLECs of any nuances on the BOS bill. Furthermore, Qwest has been working with AT&T to remedy any BOS-related

¹⁹⁶ See DOJ Evaluation, October 21, 2002, at 8.

¹⁹⁷ See AT&T Comments at 63 and Finnegan/Connolly/Wilson Decl. at ¶¶ 80-86, 89-90, 99-105.

¹⁹⁸ See Qwest III 10/11/02 *Ex Parte* (BOS Update); Qwest I & II 09/04/02b *Ex Parte* (BOS Update); Qwest III Addendum at 4-5.

¹⁹⁹ See *id.*

²⁰⁰ See Qwest III 10/11/02 *Ex Parte* (BOS Update) at 2; Qwest I & II 09/04/02b *Ex Parte* (BOS Update) at 3. AT&T also claims that the Interconnection Agreements of TCG support its argument that local and intraLATA usage needs to be separated. But the Interconnection Agreements AT&T cited do not contain any contract provisions that mandate separating the usage.

concerns that AT&T has raised.²⁰¹ The next BOS release is scheduled for October 26, 2002, alleviating a number of concerns AT&T raises and further enhancements will be completed between now and the end of December 2002.

135. AT&T complains that summary bill information is not provided from electronic bills produced from Qwest's Central region, preventing it from auditing its bills. But BOS bills, regardless of which billing region produces them, contain the same structure and records. While subtotals are found on the face page records, BOS bills are designed to provide very detailed records. The BOS format is not meant to provide summary level billing information. AT&T appears to be confusing the qualities of paper bills – which provide summary bill information – to the BOS-formatted bill. But, curiously, AT&T does not even use its paper bills for auditing purposes.

136. AT&T also claims the BOS bill is *de facto* inaccurate because CLECs may not select the BOS bill to serve as the bill of record.²⁰² AT&T's complaint is disingenuous and, more importantly, irrelevant. Qwest never claimed

²⁰¹ See Qwest I OSS Reply Decl. at 187; Qwest II OSS Reply Decl. at ¶ 284, 288 n.405; Qwest III Addendum at 13. Also, AT&T actually criticizes Qwest for helping it determine the correct amount to pay from the BOS bill, after Qwest deducted a few erroneous charges – charges that have now been, or are in the process of being, fixed. See AT&T Comments and Finnegan/Connolly/Wilson Decl. at ¶ 99, n.57. AT&T's concern about the reduced time it has to pay the bill is disingenuous. Qwest does not assess, and has not assessed since January 2002, late payment charges. So, AT&T can pay its bill when it is confident of the charges, with no negative repercussions whatsoever. See Qwest I OSS Reply Decl. at ¶ 224; Qwest II OSS Reply Decl. at ¶ 322.

²⁰² See AT&T Comments at 63 and Finnegan/Connolly/Wilson Decl. at ¶¶ 81-82, 99-105.

that its initial BOS offering could be the bill of record. Currently, CLECs may choose the paper or EDI format as the bill of record.²⁰³ Regardless of which bill format serves as the bill of record, Qwest readily acknowledges and resolves disputes based on any bill that CLECs receive.²⁰⁴ So, despite that the BOS bill currently may not serve as the bill of record, AT&T may submit billing disputes to Qwest from the BOS bill.

137. Qwest recognizes that its production of BOS-formatted bills is evolving, and that discrepancies may emerge over time that require correction. Nevertheless, Qwest is working diligently with AT&T to identify and resolve these concerns and continues to make significant progress.

3. BOS Bills Not Mandated for 271 Approval

138. AT&T continues to invent FCC standards by implying that BOS bills are actually mandated by Commission precedent.²⁰⁵ The Commission has never mandated that a BOC provide BOS billing. Rather, the Commission has repeatedly held that BOCs do not have to provide a particular form of OSS. Industry bodies have not established specific standards for access to billing functions for local competition. But even if such standards had been established, they would not be requirements for Section 271 purposes. Indeed, the Commission has explicitly held that “compliance with industry standards is not a requirement of

²⁰³ See Qwest I OSS Decl. at 499; Qwest II OSS Decl. at 482.

²⁰⁴ See Qwest I OSS Reply Decl. at 219; Qwest II OSS Reply Decl. at 316.

²⁰⁵ See AT&T Comments at 63-64.

providing nondiscriminatory access to OSS functions,”²⁰⁶ and that adherence to OSS industry standards “is not a prerequisite.”²⁰⁷ Thus, a BOC can satisfy the requirement of providing CLECs with nondiscriminatory access to Wholesale bills in more than one way.

139. The Commission has recognized the importance of providing an auditable bill, and other Section 271-successful BOCs have satisfied this requirement through a BOS offering. But the FCC has never required – and does not now require – a BOC to offer BOS bills as long as its other bill offerings can be audited, *i.e.*, can be easily transferred to a computer spreadsheet, computer software, or other electronic system that allows CLECs to mechanically manipulate and audit the data.²⁰⁸ As described above and in previous filings, Qwest readily satisfies this standard through its ASCII and EDI formats.²⁰⁹ Still, Qwest has agreed to offer a BOS formatted bill at CLECs’ request because it recognizes the utility of being responsive to its CLEC customers and because other BOCs also provide BOS bills.

C. Complete and Accurate DUF

140. Eschelon argues that Qwest fails to provide accurate records of switched access MOU, which causes a substantial loss of revenue to Eschelon and

²⁰⁶ See *Louisiana 271 Order* at ¶ 137.

²⁰⁷ See *New York 271 Order* at ¶ 88.

²⁰⁸ See *Pennsylvania 271 Order* at ¶¶ 22, 17 n.51.

²⁰⁹ See Qwest I OSS Reply Decl. at ¶¶ 203-214; Qwest II OSS Reply Decl. at ¶¶ 300-311.

other CLECs. ²¹⁰ Qwest agrees with Eschelon that accurate reporting of MOU is critical for both CLECs and Qwest. But Qwest disagrees that it does not provide Eschelon with accurate MOU reports. In fact, Qwest has proven through various means that it correctly records and distributes MOU on CLEC DUF files.

141. Qwest provides complete and accurate switched access usage records to all of the CLECs it serves. Switched access usage records for Qwest-served switches are distributed to all CLECs on the DUF and are in the OBF standard EMI format.

142. Switched access MOU can be obtained from various fields on the EMI record (such as Billable, or Reported, Time and Conversation Time) depending upon the intended use of the MOU value. Actual MOU are a function of end-user calling characteristics, over which Qwest has no control. MOU, or usage duration, is completely driven by end-users. Provided the switch records the usage duration correctly, Qwest has absolutely no affect on CLEC end-user MOU.

143. Eschelon's latest "access audit", which concluded in May 2002, makes no reference whatsoever to the correctness of call duration values on delivered switched access records. On 100% of the usage elements where the third party test group found a match between the test call and the delivered usage record, the MOU values were as expected. In many cases, Qwest-recorded MOU differed from the third party's exact expectations because of the manner with which the testing group estimated MOU. In the test group's final report, the group admits

²¹⁰ See Eschelon Comments at 47.

that “the durations of these test calls were recorded with stop watches.” While the use of a stopwatch may provide an approximation of what Eschelon may actually expect for MOU, this manual estimating method is unreliable for actual switch-recorded MOU because it is prone to errors and subject to human fallibility.

144. Furthermore, Qwest has successfully completed several internal and external DUF audits or tests over the past one-and-a-half years and none raised questions about the validity of switched access call duration values recorded and distributed on the DUF. In fact, the CGE&Y OSS Test *Final Report* for Arizona stated, “DUF records had accurate start and end times compared to the call logs.”

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145. Instead of utilizing error-prone, manual methods of estimating expected call duration (such as stopwatches), the KPMG audit of the DUF instituted more mechanized central office-based procedures. This test utilized auto-dialers that closely mirrored actual recorded times. Notably KPMG did not question the MOU values of delivered switched access records.

146. Aside from MOU values, Eschelon has expressed concerns that it is not receiving all of its appropriate usage records from Qwest.²¹² At the center of its claim are two separate inquiries that Eschelon recently submitted to Qwest for investigation. The first inquiry involves the results of Eschelon’s May 2002 third-party usage audit. The second inquiry is even less specific, in which Eschelon

²¹¹ See *Final Report*, Section 2.4.5, p. 120, Appendix G.

²¹² See Eschelon Comments at 48-53.

claims that “after the test call period, the number of records provided by Qwest dropped sharply.” ²¹³ While the detailed investigation on both inquiries continues, Qwest has spent – and continues to spend – significant time and effort to ensure that it processes and delivers all CLEC usage records in an accurate manner.

147. After several formal requests made by Qwest to Eschelon for details regarding Eschelon’s May 2002 usage audit and its general belief that usage had “dropped,” Qwest finally received some details relating to Eschelon’s audit on the evening of Monday, October 14, 2002. Despite requests by Qwest, however, Eschelon has yet to share any details (*i.e.*, specific line numbers and/or specific dates) relating to its claims of recently downward trending usage volumes.

148. Eschelon complains that Qwest is concentrating its search for the alleged missing records in Qwest’s switches, and should instead demonstrate that the records are found in the DUF or meet point billing files. ²¹⁴ As a standard practice, when Qwest receives inquiries relating to the creation and delivery of DUF usage, there are several steps that the Qwest usage analysts perform in an attempt to fully explain potential discrepancies. The ultimate goal of these inquiries is to explain any differences between CLEC expectations in usage to be received versus actual usage received. In order to completely identify, investigate, and explain any gaps, Qwest reviews a host of information from many different sources. At a

²¹³ See *id.* at 53.

²¹⁴ See *id.* at 52.

minimum, analysts track each individual usage record in question through all of the following data points:

- Usage discrepancy list (including call details) from CLEC and/or testing organization;
- Qwest AMA switch recordings; and
- Delivered DUF usage records to CLECs.

149. Due to the very recent acquisition of key call detail information from Eschelon and the extent to which Qwest must analyze each usage record, the investigation of Eschelon's five-month old usage audit results is still ongoing.

Furthermore, much of the data Eschelon provided did not even contain the call start times.

150. Investigation of Eschelon's non-specific claims of downward-trending usage is difficult for a variety of reasons. *****CONFIDENTIAL MATERIAL BEGINS HERE*****

*****CONFIDENTIAL MATERIAL ENDS HERE***]**

Without specific line information and dates, Qwest believes it must take the following approach to analyze this issue:

- Obtain all Eschelon DUF records between April and September of 2002;
- Calculate the total number of individual end-users generating usage during each month;

- Calculate the average change of end-users generating usage from month to month; and
- Calculate the average number of records generated by each end-user from month to month.

Because of this cumbersome process – and because Eschelon provided Qwest with incomplete data ²¹⁵ barely more than a week ago (on October 14, 2002) – Qwest is still in the process of investigating this matter.

D. Termination Record Completeness

151. OneEighty argues that because it did not receive call termination records for about six weeks, Qwest should not receive Section 271 approval. ²¹⁶ OneEighty also argues that Qwest will simply claim in response that fixing the problem is sufficient, despite the harms that OneEighty allegedly suffered. What OneEighty fails to mention, however, is that it did not receive call termination records for those six weeks because of a problem solely within OneEighty's (or its vendor's) control.

152. OneEighty uses an outside vendor, NeuStar, to update industry files required to receive recorded usage. NeuStar wrongly removed several NPA-NXXs from the Terminating Point Master ("TPM") file. When Qwest received the TPM file from Telcordia as usual, the file did not contain OneEighty's NPA-NXXs of 406-294 and 406-384, and Qwest's system tables did not recognize these NPA-NXXs

²¹⁵ For example, the majority of call detail provided by Eschelon did not contain the connect time for the call – a critical piece of information.

²¹⁶ See OneEighty Comments at 14-15.

for OneEighty as valid. This caused all calls routed from or through Qwest destined for those prefixes to not complete. After OneEighty notified Qwest of the problem, Qwest immediately researched the cause and informed OneEighty that it needed to update the TPM file by adding those NPA-NXXs. The next time Qwest received the TPM file, the file included those NPA-NXXs, but incorrectly identified them as belonging to Qwest. Because of this, Qwest was able to complete the calls, but was unable to send the call records to OneEighty on the meet point billing file. Once Qwest finally received an updated TPM file from Telcordia listing the NPA-NXXs as belonging to OneEighty, Qwest recovered the usage and sent it to OneEighty. At all times, OneEighty, together with its outside vendor NeuStar, was responsible for ensuring the TPM contained correct information. OneEighty's concerns, therefore, do not indicate system-wide errors, but problems caused by its own mistake.

E. Billing Completion Notices in Colorado and Nebraska

153. Overall, Qwest's performance on PID PO-7A consistently has been very strong. In Colorado, Qwest met the parity standard in five of the past seven months, with a Wholesale result over 97% in each of the past seven months. ²¹⁷ Although Qwest missed the parity standard for PO-7 in July and August 2002, it did so by less than one percent in each month. ²¹⁸ In early July, Qwest changed the way UNE-P POTS orders are written. This change improved the provisioning process for UNE-P POTS by reducing the amount of manual work associated with

²¹⁷ See Colorado Commercial Performance Results at 66 (PO-7A,C).

provisioning UNE-P POTS orders and increasing the flow-through of such orders. But, the process change also increased the amount of manual work needed to post the orders to CRIS. Qwest opted to implement this process change despite the minor increase in manual work to post such orders to CRIS in an effort to streamline the provisioning process. The impact to PO-7, however, was greater than Qwest anticipated, and caused Qwest to miss the parity standard for July and August. Qwest currently is exploring a system enhancement to alleviate the impact this process change had on PO-7.

154. In Nebraska, Qwest achieved parity on PO-7 in six of the past nine months. ²¹⁹ Qwest missed the parity standard in June, August, and September. ²²⁰ But these misses were due to an atypical, large-scale conversion to UNE-P orders for a particular CLEC. Once the conversion is complete, Qwest expects its performance on PO-7 to meet parity again.

²¹⁸ See *id.*

²¹⁹ See Nebraska Commercial Performance Results at 64 (PO-7A,C).

²²⁰ See *id.*

VI. EDI DOCUMENTATION AND INTERFACE TESTING

A. EDI Documentation

155. The OSS Declarations and related exhibits submitted with the Applications in the Qwest I and II proceedings provide ample evidence of the sufficiency of Qwest's EDI development processes and documentation.²²¹ The commercial data support the adequacy of Qwest's EDI documentation. Evidence that CLECs have successfully built EDI interfaces using Qwest's documentation is strong evidence that the EDI documentation is adequate under Section 271.²²² As set forth in Qwest II, as of June 1, 2002, a total of 31 individual CLECs had been certified to use Qwest's EDI.²²³ The third party test results also strongly support the adequacy of Qwest's EDI documentation, as discussed in detail in the Qwest I and Qwest II OSS declarations.²²⁴ HP, the pseudo-CLEC in the third party test, found that Qwest's EDI documentation is readily available and understandable, complete in its coverage of EDI business rules and mapping specifications, and

²²¹ See Qwest I OSS Decl. at ¶¶ 674-704, Exhibits LN-OSS-56 through LN-OSS-74; Qwest II OSS Decl. at ¶¶ 658-688, Exhibits LN-OSS-47 through LN-OSS-67.

²²² See, e.g., *Alabama/Kentucky/Mississippi/North Carolina/South Carolina 271 Order* at ¶190.

²²³ See Qwest II OSS Decl. at ¶676 and Confidential Exhibit LN-OSS-70 (Number of CLECs Certification Testing in Interoperability Environment and SATE).

²²⁴ Qwest I OSS Decl. at ¶¶ 696-703; Qwest II OSS Decl. at ¶¶ 680-687.

consistent with other information provided by Qwest.²²⁵ No party challenged the adequacy of Qwest's EDI documentation in any comments filed in either the Qwest I or Qwest II proceeding. Nor did the Department of Justice, in its evaluations of Qwest I and Qwest II, raise questions regarding this issue.

156. WorldCom nevertheless claims, for the first time in its comments on Qwest III, that Qwest's EDI documentation is inadequate.²²⁶ Specifically, WorldCom points to inconsistencies between two documents – the Qwest LSOG ("LSOG" or "Preparation Guide" as reference by WorldCom) and the Developer Worksheets contained in the EDI Disclosure Document, and argues that Qwest's business rules are unclear whether certain fields are required.²²⁷ While the Developer Worksheets and LSOG contain similar information, Qwest instructs CLECs to use the Developer Worksheets, not the LSOG, to build a CLEC's EDI

²²⁵ See Qwest I OSS Declaration at Section VIII.B.3, Qwest II OSS Declaration at Section VIII.B.3. See also KPMG Final Report at 10-A-36 to 10-A-43 (HP) (evaluation criteria 10-1-1 to 10-1-12 relating to EDI Disclosure Document); see also *id.* at 10-A-61 to 10-A-62 (HP) (evaluation criteria 10-4-25 to 10-4-30 relating to LSOG documents).

²²⁶ WorldCom Qwest III Comments at 12-13, Lichtenberg Decl. at ¶¶29-32. WorldCom's allegation regarding Idaho CLLI codes is discussed in Section IV.G.2 of this Reply Declaration. See WorldCom Qwest III Comments, Lichtenberg Decl. at ¶31.

²²⁷ See WorldCom Qwest III Comments at 12, Lichtenberg Decl. at ¶30. The Developer Worksheets can be found in the IMA Disclosure Document, which may be found in the record as Qwest II Brief, Attachment 5, Appendix P and on the Wholesale Website at www.qwest.com/disclosures/netdisclosure409.html. The Qwest LSOG may be found on the Wholesale Website at www.qwest.com/wholesale/ima/gui/icharts.html.

interface.²²⁸ WorldCom, however, has chosen to ignore this guidance and use the LSOG to help construct its EDI interface. The difficulties WorldCom identifies in its comments are attributable largely to WorldCom's decision to use the LSOG for guidance, rather than the Developer Worksheets.²²⁹ Qwest's EDI Implementation Team and Account Team are available to help WorldCom and other CLECs when they have any questions. The adequacy of Qwest's technical assistance is fully discussed in the Qwest I and Qwest II OSS Declarations,²³⁰ and no party to Qwest I, Qwest II, or Qwest III has questioned the adequacy of that technical support under Section 271.

157. WorldCom cites several instances in which the documentation in the Disclosure Document (Developer Worksheets) differs from the LSOG (the Preparation Guides).²³¹ I have addressed each of WorldCom's specific detailed

²²⁸ In describing the recommended process and documentation for CLECs to use in developing an EDI interface, the EDI Implementation Guidelines specify that the EDI Disclosure Document should be used. It does not mention the LSOG. *See* Qwest II OSS Decl., Exhibit LN-OSS-56 (EDI Implementation Guidelines) at 17-21.

²²⁹ WorldCom describes as "astounding" the fact that many of its documentation issues have been open since August. WorldCom Qwest III Comments, Lichtenberg Decl. at ¶30. Qwest has worked diligently with WorldCom to help answer its questions. Many of these have not been relevant to coding an EDI interface. For the vast majority of WorldCom's questions, Qwest has been able to provide an answer within a week of receiving the question. Many questions that Qwest has already answered remain open on the log while WorldCom determines whether to close its question or provide follow-up questions. *See* Confidential Reply Exhibit LN-11 (WorldCom Question Log).

²³⁰ Qwest I OSS Decl. at ¶¶ 603-673, Exhibits CLD-OSS-36 through CLD-OSS-46; Qwest II OSS Decl. at ¶¶ 587-657, Exhibits CLD-OSS-45 through CLD-OSS-55.

²³¹ WorldCom Qwest III Comments at 12-13 and Lichtenberg Decl. at ¶30.

allegations in a separate exhibit to this declaration.²³² As can be seen from my responses, none of WorldCom's examples would affect the ability of CLECs to develop EDI interfaces. In most of the examples, if the CLEC were to follow the developer worksheets, as Qwest has advised, there would be no documentation issue at all.

158. Although the issues cited by WorldCom should not affect the ability of CLECs to successfully build an EDI interface, Qwest is nevertheless interested in minimizing any concerns with its documentation. Where concerns are identified by WorldCom or others, these issues are worked through the Qwest technical team and the CLEC's assigned service management team. Changes to the documentation are made as appropriate and necessary. Since October, 2001, Qwest has used a Documentation Review Board to review each change made to either the LSOG or the Developer Worksheets to ensure that consistent changes are made to both documents as appropriate.

159. I note that WorldCom also has submitted a change request ("CR") proposing that Qwest provide a single source document for implementing EDI.²³³ The CR is being processed according to Qwest's change management

²³² Confidential Reply Exhibit LN-12 (Responses to WorldCom Arguments Regarding EDI Documentation Inconsistencies). The redacted version of this exhibit contains all the information contained in the confidential version except for the specific WorldCom Question Log field names and question numbers, which correspond to Confidential Reply Exhibit LN-11 (WorldCom Question Log).

²³³ Reply Exhibit LN-13 (SCR 093002-05) (submitted September 30, 2002). This change request, and its status, may also be obtained through the Qwest wholesale website. See www.qwest.com/wholesale/cmp/changerequest.html.

procedures.²³⁴ Qwest has sought clarification from WorldCom regarding the scope of the CR, and WorldCom has an action item to clarify the CR. It is likely to be scheduled for discussion at the next monthly change management meeting, in November. The consideration of this CR provides an appropriate forum for CLECs and Qwest to consider WorldCom's concerns and its proposed solution of a single documentation source.

160. In sum, the issues WorldCom identifies with respect to Qwest's EDI documentation are not sufficient to call into question the adequacy of its EDI documentation under Section 271. Given the minor nature of WorldCom's issues, the availability of assistance to WorldCom in resolving its questions, and the existence of mechanisms for eliminating inconsistencies in the documentation, and given the success of HP and numerous CLECs in using Qwest's EDI documentation to develop an EDI interface, there should be no question that Qwest's EDI documentation meets the requirements of Section 271.

B. Stand Alone Test Environment

161. AT&T and WorldCom continue to challenge the adequacy of Qwest's Stand Alone Test Environment ("SATE"), arguing that SATE does not

²³⁴ See generally Qwest II Declaration of Dana L. Filip (Change Management).

mirror production.²³⁵ The Qwest I and Qwest II OSS Declarations discuss the adequacy of SATE and its mirroring of production extensively.²³⁶

162. *AT&T*. AT&T's Qwest III arguments have already been fully addressed by Qwest in its previous Applications, and I therefore do not address further here, except to provide updates on events occurring since the filing of the Qwest II Reply Comments. First, AT&T continues to argue in its Qwest III comments that SATE post-order responses differ from those found in production, without elaboration.²³⁷ Qwest provided a full response to this argument during the Qwest I and II proceedings.²³⁸ As Qwest stated there, SATE provides CLECs with the ability to test to determine whether their code will work in production.²³⁹ It is not necessary to make every possible test scenario available in order to accomplish this goal.²⁴⁰ In addition, as discussed in those filings, CLECs testing in SATE have the alternatives of conducting flow-through testing or using the automated post-order response capability of Qwest's Virtual Interconnect Center Knowledge

²³⁵ AT&T Qwest III Comments at 64-65 and Finnegan/Connolly/Wilson Decl. at ¶¶ 116-122; WorldCom Qwest III Comments at 16-17 and Lichtenberg Decl. at ¶¶ 41-47.

²³⁶ Qwest I OSS Decl. at ¶¶ 717-780; Qwest II OSS Decl. at ¶¶ 702-789.

²³⁷ See AT&T Qwest III Comments at 64-65 and Finnegan/Connolly/Wilson Decl. at ¶116.

²³⁸ See Qwest I OSS Reply Decl. at ¶¶ 254-279; Qwest II OSS Reply Decl. at ¶¶ 353-376.

²³⁹ See Qwest I OSS Reply Decl. at ¶¶ 255-257; Qwest II OSS Reply Decl. at ¶¶ 354-356.

²⁴⁰ See Qwest I OSS Reply Decl. at ¶¶ 260-264; Qwest II OSS Reply Decl. at 359-365.

Indicator (“VICKI”), or both.²⁴¹ The FCC recently reiterated, in granting BellSouth’s Section 271 application for six states, that the “Commission has never required that test scenarios and actual production orders be identical.”²⁴² Rather, it is sufficient under Section 271 if they are “substantially similar.”²⁴³ Post-order responses in SATE are “substantially similar” to the responses CLECs would receive in production, and they enable CLECs successfully to test in SATE and go into production, as the commercial data demonstrate.

163. Moreover, as Qwest stated in its earlier filings, the new PO-19B measure will provide even greater assurance that SATE mirrors production.²⁴⁴ The results of PO-19B for IMA 10.0 (July) show that Qwest performed at 99 percent, which is above the 95 percent benchmark.²⁴⁵ While the PO-19B definition impasse issue is still pending before the Arizona Corporation Commission (“ACC”), Qwest

²⁴¹ See Qwest I OSS Decl. at ¶¶ 723-725; Qwest I OSS Reply Decl. at ¶¶ 280-285; Qwest II OSS Decl. at ¶¶ 708-710; Qwest II OSS Reply Decl. at ¶¶ 377-382.

²⁴² *Alabama/Kentucky/Mississippi/North Carolina/South Carolina Section 271 Order* at ¶188.

²⁴³ *Id.*

²⁴⁴ See Qwest I OSS Decl. at ¶ 742; Qwest I OSS Reply Decl. at ¶¶ 299-300; Qwest II OSS Decl. at ¶¶ 730-731; Qwest II OSS Reply Decl. at ¶¶ 396-398.

²⁴⁵ Qwest III Brief, Att. 5, App. D, Regional Commercial Performance Results at 101 (PO-19B). These results are posted for July, but PO-19B results do not appear monthly. Rather, they are associated with each new IMA release, so they will appear periodically. Hewlett-Packard has evaluated the PID results and provided its views to the ACC. To my knowledge, the ACC has not yet released the results of that evaluation.

has proposed a compromise that AT&T has agreed to.²⁴⁶ Under that compromise, Qwest would add additional product/activity combinations to PO-19B when one or more CLECs issued 100 or more such EDI transactions in production during the prior 12 months. The compromise is now pending before the ACC Staff, and Qwest expects it to issue a decision soon.

164. Second, AT&T claims that in SATE, unlike the production environment, CLECs must choose a path for the response that will determine the time within which the response is returned.²⁴⁷ Qwest also responded to this argument during the Qwest I and II proceedings.²⁴⁸ As Qwest stated there, CLECs testing flow-through capability in SATE do not need to select a path to send an LSR to flow-through, nor do they need to select a path to receive manual processing of their response.²⁴⁹ By definition, however, if a CLEC testing in SATE instead (or in addition) chooses to use the automated post-order capability of VICKI, it must select a path to send a transaction, because VICKI is designed to test predefined

²⁴⁶ See Qwest's Response to AT&T's Comments on Hewlett Packard's Recommendation on PO-19B Impasse Issue and Recommendation Regarding SATE Products Impasse Issue, Arizona Corporation Commission, Docket No. T-00000A-97-0238, filed September 16, 2002, at 2-4, attached as Reply Exhibit LN-14 ("Qwest SATE Impasse Comments"). AT&T indicated its agreement with that proposal in a September 30, 2002, e-mail from John Finnegan of AT&T which was distributed to the TAG. A copy of that e-mail is attached hereto as Reply Exhibit LN-15.

²⁴⁷ See AT&T Qwest III Comments at 65 and Finnegan/Connolly/Wilson Decl. at ¶116.

²⁴⁸ See Qwest I OSS Reply Decl. at ¶¶ 284-285; Qwest II OSS Reply Decl. at ¶¶381-382.

²⁴⁹ *Id.*.

scenarios.²⁵⁰ Indeed, that is an advantage of VICKI – it enables a CLEC to determine that its code works as expected when the predicted response is received every time.²⁵¹

165. Third, AT&T continues to argue in its Qwest III comments that Qwest should include in SATE all products that are available in production.²⁵² Qwest fully addressed this contention in the Qwest I and Qwest II proceedings.²⁵³ As Qwest stated there, for Section 271 purposes, SATE is adequate if it includes all resale and UNE products being ordered through EDI by CLECs at the time SATE was created, with the change management process available for adding additional products to SATE.²⁵⁴ The CMP process has worked well in this area, and CLECs have prioritized the CRs to add products to SATE, choosing only a few to prioritize relatively high.²⁵⁵

166. The issue of whether Qwest should be required to add products to SATE outside of the change management process is currently an impasse issue before the ACC, like the issue of the definition of PO-19B.²⁵⁶ However, as with the

²⁵⁰ *Id.*

²⁵¹ *Id.*

²⁵² AT&T Qwest III Comments at 64-65.

²⁵³ See Qwest I OSS Decl. at ¶¶ 766-768; Qwest I OSS Reply Decl. at ¶¶ 295-296; Qwest II OSS Decl. at ¶¶ 756-758; Qwest II OSS Reply Decl. at ¶¶ 391-393.

²⁵⁴ See Qwest I OSS Decl. at ¶¶ 766-768; Qwest I OSS Reply Decl. at ¶¶ 295-296; Qwest II OSS Decl. at ¶¶ 756-758; Qwest II OSS Reply Decl. at ¶¶ 391-393.

²⁵⁵ See, e.g., Qwest II OSS Decl. at ¶¶ 757-758.

²⁵⁶ See, e.g., Qwest II OSS Reply Decl. at ¶ 397.

PO-19B issue, Qwest and AT&T reached agreement on a compromise solution on this issue on September 30, 2002.²⁵⁷ Under the compromise, Qwest would use a threshold of 100 EDI transactions in the production environment during the previous 12 month period to calculate which products to add into SATE.²⁵⁸ For those EDI transaction products that are not yet coded into SATE and for which one or more CLECs issued 100 or more associated transactions during that period, Qwest would commit to adding the product into SATE. Qwest would add the products to SATE in the next major release, or if that is not feasible, then in the next major release after that. This compromise is currently awaiting approval by the ACC Staff, and Qwest expects action soon on the compromise proposal.

167. *WorldCom*. In its Qwest III comments, WorldCom challenges SATE in two general respects – with respect to the treatment of directory listings in SATE and with respect to the extent of test scenarios available in SATE.

168. WorldCom argues that SATE's lack of capabilities regarding directory listings hampers WorldCom's ability to do pre-order and order testing under SATE.²⁵⁹ Qwest added the capability of running the pre-order test listings reconciliation query to SATE for IMA release 11.0 on October 19, 2002. Qwest

²⁵⁷ See Qwest SATE Impasse Comments at 2-4 (Qwest III Reply Exhibit LN-14). As with PO-19B compromise, AT&T indicated its agreement with this proposal regarding adding products to SATE in a September 30, 2002, e-mail from John Finnegan. Qwest III Reply Exhibit LN-15 (September 30, 2002, e-mail from John Finnegan, AT&T, re SATE impasse issues).

²⁵⁸ For a description of the proposal, see *id.* (Qwest SATE Impasse Comments) at 2-4.

implemented this change in SATE in response to a change request that was prioritized by the CLECs and Qwest for inclusion in SATE IMA Release 11.0.²⁶⁰ Thus, WorldCom's concern has been addressed by SATE changes that have occurred, through the appropriate mechanism of the change management process.²⁶¹ To the extent WorldCom suggests that Section 271 was violated because Qwest did not make this testing capability available earlier, it is important to note that CLECs may test the facility based directory listing (FBDL) capability through the Interoperability test environment, and may do so without providing their own data.²⁶² This is a satisfactory alternative, therefore, for CLECs that wish to test the facility based directory listing capability for IMA 10.0.

169. WorldCom also argues that it is not able to test ordering functionality related to directory listings, contending that to do so, WorldCom would have had to obtain pre-order directory listing information first (presumably using the Listing Reconciliation Query).²⁶³ This is not correct. The pre-order directory listing information *is* included on the SATE test scenario CSR, and thus CLECs can use that information to test ordering functionality related to directory listings.

²⁵⁹ WorldCom Qwest III Comments, Lichtenberg Decl. at ¶¶ 42-44.

²⁶⁰ See Qwest II OSS Decl. at ¶¶ 757-758.

²⁶¹ WorldCom Qwest III Comments, Lichtenberg Decl. at ¶¶ 42, 44.

²⁶² In fact, several CLECs and a P-CLEC have utilized the Interoperability environment for testing Facility Based Directory Listings (FBDL) and are currently in production for these products. See Qwest II Confidential Exhibit LN-OSS-70 (Number of CLECs Certification Testing in Interoperability Environment and SATE).

170. In addition to its arguments regarding testing for directory listings, WorldCom faults SATE on the grounds that, in WorldCom's view, the test order scenarios available in SATE "include only the most basic order types."²⁶⁴ WorldCom offers two examples, neither of which raises Section 271 issues. First, WorldCom states that "[T]est scenarios for pre-order CSR inquiries do not include any multiline accounts."²⁶⁵ This is incorrect. It is possible to test pre-order functionality using a multiline CSR. SATE has been developed to allow appropriate pre-order functions to be conducted for the data supplied for each test order. There are many cases of multiple line accounts in the data document. As a result, the data document provides significant complex data for the CLECs to use while testing. In addition, with the publication of the 11.0 SATE Data Document on October 21, an additional scenario has been added to the CSR section of the Data Document to explicitly show a CSR query for a multiple line CSR.²⁶⁶ This was done in response to receiving a request for this scenario from multiple CLECs.

171. Second, WorldCom argues that SATE does not include scenarios in which the directory listing differs from the customer's service address. In fact, on October 3, 2002, WorldCom was provided this functionality in response to a data

²⁶³ WorldCom Qwest III Comments, Lichtenberg Decl. at ¶ 43.

²⁶⁴ *Id.* at ¶ 45.

²⁶⁵ *Id.*

²⁶⁶ The 11.0 SATE Data Document may be found at <http://www.qwest.com/wholesale/ima/edi/document.html>.

request. As WorldCom was the only requesting CLEC, it has not been added to the SATE Data Document.

172. WorldCom acknowledges that Qwest agreed to add the test scenarios for WorldCom in SATE version 10.0, but contends that Qwest should have added the scenarios for all CLECs and for future releases.²⁶⁷ Under standard procedures for SATE, Qwest will add a new test scenario at the request of a CLEC, but will not add that as a standard test scenario for current and future releases unless the scenario is requested by multiple CLECs. CLECs are aware of this approach, as it has been discussed at a SATE Users' Group meeting and documented in meeting minutes which are distributed to all CLECs on the CMP distribution.²⁶⁸ By taking this approach, Qwest avoids cluttering up the SATE

²⁶⁷ WorldCom Qwest III Comments at 16, Lichtenberg Decl. at ¶ 46.

²⁶⁸ This very issue was discussed with the CLECs at a SATE Users Group meeting on December 4, 2001. The minutes reflect the CLECs' agreement with this approach:

As there can be an infinite number of test scenarios, Qwest has included on the data document the scenarios required of the CLECs for certification along with the most common test scenarios. If a CLEC needs an additional test scenario, they can work to find data that meets their need. This can be accomplished by their Qwest BA [Business Analyst] immediately providing the data or by the BA recommending that the CLEC submit a Data Request. If Qwest finds that several CLECs are requesting a particular scenario, Qwest will add that scenario to the next release of the Data Document. The CLECs agreed with this approach.

Data Document with unnecessary test scenarios created at the request of individual CLECs. WorldCom is incorrect in supposing that Qwest does not include in its internal testing the test scenarios requested by individual CLECs.²⁶⁹ In fact, Qwest does include the individually requested test scenarios in its internal testing.

173. In sum, neither AT&T nor WorldCom has cited evidence that undermines the strong showing that Qwest has made in Qwest I and Qwest II that SATE mirrors production within the meaning of Section 271.

174. This concludes my declaration.

Minutes of SATE Users' Group Meeting (December 4, 2001), Qwest III Reply Exhibit LN-16. This is also reflected in the documentation for SATE. *See* IMA EDI Implementation Guidelines for Interconnect Mediated Access, Qwest II OSS Decl., Exhibit LN-OSS-56, version 10.0, at 37; SATE Data Document, Qwest II OSS Decl., Exhibit LN-OSS-57, version. 10.02, at 4. Updated versions of these documents are available on the Qwest Wholesale Website at www.qwest.com/wholesale/clecs/ima/edi/document.html.

²⁶⁹ WorldCom Qwest III Comments, Lichtenberg Decl. at ¶ 46.